

FEDERAL COMMUNICATIONS COMMISSION
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February 14, 2007

William K. Keane, Esq.
Duane Morris, LLP
1667 K Street NW, Suite 700
Washington, DC 20006

Re: KMA(AM), Shenandoah, Iowa
Facility Identification Number: 35107
KMA Broadcasting, LP
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed February 1, 2007, on behalf of KMA Broadcasting, LP (KB). KB requests special temporary authority ("STA") operate Station KMA with temporary facilities to facilitate repairs to the station's antenna system.¹

In support of the request, KB states that the center tower of the KMA directional array must be removed due to structural weakness. KB requests STA for operation during nighttime hours with a nondirectional antenna and reduced power of 1.25 kilowatts. KB states that it hopes to have a new tower installed as soon as possible; however, due to winter weather conditions and other possible contingencies, STA is requested for 180 days.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities.

Accordingly, the request for STA IS HEREBY GRANTED. Station KMA may operate during nighttime hours with a nondirectional antenna and reduced power not to exceed 1.25 kilowatts, as necessary to facilitate repairs to the station's antenna system. It will be necessary to further reduce power or cease operation if complaints of interference are received. KB must notify the Commission when licensed operation is restored.² KB must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **August 14, 2007**.

STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary

¹ KMA is licensed for operation on 960 kHz with 5 kilowatts, unlimited hours, employing a directional antenna during nighttime hours only. (DA-N-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b)

authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice the public interest." However, Section 309(f) is not a means by which a licensee/permittee may circumvent established processing procedures which require the filing of an application, nor is it a means by which a broadcaster may enhance his facility or make operation more convenient for the broadcaster. Stations operating with less than licensed facilities under temporary authorities can be viewed as receiving the benefit of a larger protection area than that in which they are currently providing service.

Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. Any request for extension of special temporary authorities carries an increased burden with each subsequent request.

Therefore, requests for extension of STA will be granted only where the licensee can show that one or more of the following criteria have been met:

- Restoration of licensed facilities is complete and testing is underway;
- Substantial progress has been made during the most recent STA period toward restoration of licensed operation; or
- No progress has been made during the most recent STA period for reasons clearly beyond the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: KMA Broadcasting, LP