

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
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AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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January 29, 2010

Karen A. Ross, Esq.
Davis Wright Tremaine LLP
1919 Pennsylvania Avenue NW, Suite 200
Washington, DC 20006-3402

Re: KLKI(FM), Dolan Springs, Arizona
Educational Media Foundation
Facility ID No. 90917
File No. BLED-20100125ADU (License)
File No. 20100125AIO (PTA)

Dear Counsel:

This letter is in reference to the Station KLKI(FM), Dolan Springs, Arizona, Application for License, File No. BLED-20100125ADU (the "Application"), to cover Construction Permit BMPED-20100104AAJ (the "CP"), and the associated request for Program Test Authority ("PTA"), File No. 20100125AIO, filed by Educational Media Foundation ("EMF"). In the Application, EMF submitted radiofrequency radiation ("RFR") measurement data to satisfy Special Operating Conditions on the CP and proposed to correct the geographic coordinates of the transmitter site specified on the CP.¹

An engineering review of the Application reveals that the RFR measurement data submitted by EMF do not satisfy Special Operating Condition 4 on the CP. Specifically, the applicant's RFR measurements show that operation of Station KLKI(FM) as constructed results in locations on the ground in the vicinity of the transmitter site where RFR levels exceed the Commission's RFR General Population/Uncontrolled maximum permissible exposure ("MPE") limits; that these locations are not fenced to prevent casual or inadvertent public access, and that no warning signs describing the nature of the hazard are posted at these locations.² Special Operating Condition 4 on the CP unequivocally requires that a fence must be erected and warning signs posted in any areas where RFR levels exceed applicable human exposure limits.

Because of the potential for human exposure to RFR in excess of applicable safety standards caused by the constructed Station KLKI(FM) facilities, EMF's request for PTA, File No. 20100125AIO, IS HEREBY DENIED.

¹ The Station KLKI(FM) transmitter site specified in the Application is 35° 14' 55" NL, 114° 44' 32" (NAD27), and the Station KLKI(FM) transmitter site specified on the CP is 35° 14' 56" NL, 114° 44' 34" (NAD27).

² EMF states in the Application that it intends to move the Station KLKI(FM) antenna to another location on the tower to mitigate RFR levels on the ground in the vicinity of the antenna. Following the antenna relocation, EMF promises to make another set of RFR measurements and submit them to the Commission. If EMF finds that those RFR measurements still show areas where RFR levels exceed MPE limits for human exposure, EMF states that it will post warning signs, and perhaps erect a fence to preclude casual or inadvertent public access to those areas.

Further action on the Application will be withheld for a period of 30 days from the date of this letter to provide the applicant an opportunity to amend the Application to provide documentation of compliance with the CP and all Special Operating Conditions thereon. Failure to file an amendment to the Application within this time period will result in the dismissal of the application with no further opportunity for corrective amendment pursuant to 47 C.F.R. Section 73.3564. Please note, any amendment must be submitted in the same manner as the original application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan N. Crawford", with a stylized, flowing script.

Susan N. Crawford
Assistant Chief
Audio Division
Media Bureau

cc: Educational Media Foundation