

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

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May 26, 2010

Frank Michael Magarelli, Manager  
Scottsdale Italian Social Club  
10480 North 117<sup>th</sup> Place  
Scottsdale, Arizona 85259

Re: KWSS-LP, Scottsdale, Arizona  
Facility Identification Number: 134485  
Scottsdale Italian Social Club  
Special Temporary Authorization

Dear Mr. Magarelli:

This is in reference to the request filed May 25, 2010, on behalf of Scottsdale Italian Social Club ("SISC"). SISC requests special temporary authority ("STA") for operation of Station KWSS-LP from a site other than the licensed site.<sup>1</sup> For reasons which are discussed below, the request is denied.

In support of the request, SISC states that the facility was located on private property in a residential area, and that the property was foreclosed and the electric power was shut off. SISC states that it has interviewed several candidate site owners and found acceptance at only one.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service<sup>2</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Our review indicates that the proposed STA operation fails to comply with the third criterion, in that the proposed 60 dBu contour lies completely outside the licensed contour; thus, operation with the proposed STA facilities would provide no service to the existing service area of the

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<sup>1</sup> KWSS-LP is licensed for operation on Channel 294L1 (106.7 MHz) with effective radiated power ("ERP") of 0.1 kilowatt and antenna height above average terrain ("HAAT") of 17 meters.

<sup>2</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>3</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

station, and would establish new service in areas currently not served by the licensed facility. While we are sympathetic to SISC's desire to restore service to the community, we are unable to find that the Public Interest would be served by grant of the requested STA.

Accordingly, the request for STA IS HEREBY DENIED. This action is taken pursuant to 47 CFR Section 0.283. The action taken herein does not preclude SISC from filing a new request for STA in compliance with the Commission's technical rules and STA policies.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau