

**FEDERAL COMMUNICATIONS COMMISSION**  
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June 7, 2010

James Arata  
961 North Emerald Avenue, Suite A  
Modesto, California 95351

Re: Threshold Communications  
KVIN (AM), Ceres, California  
Facility Identification Number: 12062  
Special Temporary Authority

Dear Mr. Arata:

This is in reference to the request filed June 3, 2010, on behalf of Threshold Communications ("TC"). TC requests special temporary authority ("STA") to operate Station KVIN with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, TC states that Station KVIN is licensed for separate daytime and nighttime transmitter sites, that the daytime transmitter has broken down. TC requests STA for operation during daytime hours with the licensed nighttime facility.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours.

Our review indicates that the proposed STA power of 2.5 kilowatts exceeds the licensed daytime power of 0.5 kilowatt; operation during daytime hours with the licensed nighttime power of 2.5 kilowatts would result in substantial extension of the daytime 0.5 mV/m contour beyond the licensed contour. However, if the power is reduced to 0.5 kilowatt, the extension would be minimal. STA will be granted with a power reduction to 0.5 kilowatt.

Accordingly, the request for STA IS HEREBY GRANTED, with a power reduction as discussed above. Station KVIN may operate during daytime hours with its licensed nighttime directional antenna and **reduced power not to exceed 500 watts**. It will be necessary to further reduce power or cease operation if complaints of interference are received. TC must notify the Commission when licensed operation is restored.<sup>2</sup> TC 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.

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<sup>1</sup> KVIN is licensed for operation on 920 kHz with 0.5 kilowatt daytime and 2.5 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

This authority expires on **September 7, 2010**.

**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 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,

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

cc: Threshold Communications