

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/

ENGINEER: CHARLES N. (NORM) MILLER
TELEPHONE: (202) 418-2767
FACSIMILE: (202) 418-1410
E-MAIL: charles.miller@fcc.gov

August 26, 2010

Matthew H. McCormick, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: KOZB (FM), Livingston, Montana
Facility Identification Number: 16777
Reier Broadcasting Company, Inc.
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed August 2, 2010, on behalf of Reier Broadcasting Company, Inc. ("RBC"). RBC requests further extension of the special temporary authority ("STA") originally granted on April 24, 2000, to operate Station KOZB (formerly KPKX) with reduced power.¹ In support of the request, RBC states that it has concluded that its licensed transmitter cannot be economically repaired. RBC states that a construction permit was granted to move the transmitter site, but work at the new site was delayed by litigation and the permit expired.² RBC states that, given the difficulty and expense of preparing the necessary environmental study for approval of its proposed tower, it is exploring other options for relocating the station.

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.

Our review indicates that RBC has been prevented from restoring licensed operation due to

¹ KOZB is licensed for operation on Channel 248C1 (97.5 MHz) with effective radiated power (ERP) of 100 kilowatts (H&V) and antenna height above average terrain (HAAT) of 75 meters.

² Application BPH-20080613ABQ, for a replacement permit, was dismissed on April 14, 2010.

causes beyond its control and has taken all possible steps to resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station KOZB may continue to operate with reduced power. RBC 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 **February 26, 2011**.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Reier Broadcasting Company, Inc.