

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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September 8, 2010

Cary S. Tepper, Esq.
Booth, Freret, Imlay & Tepper, P.C.
7900 Wisconsin Avenue, Suite 304
Bethesda, Maryland 20814-3628

Re: Calvary Chapel of Twin Falls, Inc.
K215CW(FX), Glendive, Montana
Facility Identification Number: 92312
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed September 7, 2010, on behalf of Calvary Chapel of Twin Falls, Inc. ("CCTF"). CCTF requests special temporary authority ("STA") to operate FM Translator K215CW with temporary facilities.¹

In support of the request, CCTF states that it constructed modified facilities authorized by Construction Permit BMPFT-20100521ADQ; however, during the course of construction, the tower crew discovered that it was not possible to mount the antenna at the authorized height of 97 meters above ground level, due to an obstruction on the tower. Instead, the antenna was mounted 88 meters above ground. CCTF states that it has filed Application BLFT-20100903ACA, for license to cover the permit but with the reduced antenna height, as well as Application BPFT-20100907AAV, for a new construction permit to specify the reduced antenna height. Because of the discrepancy in antenna height, CCTF states that Station K215CW has been taken off the air.

Our review indicates that the proposed 60 dBu contour lies entirely within that of the facilities authorized by Construction Permit BMPFT-20100521ADQ; thus, the proposed STA facilities are not likely to cause interference to any other station. We find that the Public Interest would be

¹ K215CW is licensed for operation on Channel 215D (90.9 MHz) with effective radiated power of 0.05 kilowatt (H&V) and antenna height above average terrain of 165 meters. Construction Permit BMPFT-20100521ADQ authorized relocation of the transmitter, a reduction in ERP to 0.041 kW and an increase in antenna height to 197 meters. The permit expired on September 3, 2010; however, Application BLFT-20100903ACA, for license to cover the permit but with a reduction in antenna height to 188 meters, is pending. Also, Application BPFT-20100907AAV, which proposes a reduction in HAAT to 188 meters, is pending

served through grant of the requested STA, in that Station K215CW could continue to provide service to its community during the pendency of its applications. STA is granted, with conditions. Any construction undertaken pursuant to this authority is entirely at CCTF's own risk.

Accordingly, the request for STA IS HEREBY GRANTED. Station K215CW may operate with the following facilities:

Geographic coordinates:	47° 3' 6" N, 104° 40' 40" W (NAD 1927)
Channel	215 (90.9 MHz)
Effective radiated power:	0.041 kilowatt (H&V)
Antenna height:	
above ground:	88 meters
above mean sea level:	896 meters
Above average terrain:	188 meters

CCTF must notify the Commission when licensed operation is restored. CCTF 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. The authority granted herein is without prejudice as to the Commission's final action on Applications BPFT-20100907AAV and BLFT-20100903ACA.

This authority expires on **March 8, 2011**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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: Calvary Chapel of Twin Falls, Inc.