

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 12<sup>th</sup> STREET, S.W.**  
**WASHINGTON, DC 20554**

December 13, 2010

*In Reply Refer to:*  
1800B3

Mr. Steve Kehl  
Riverton Broadcasting, Inc.  
603 E. Pershing Avenue  
Riverton, WY 82501

In re: DK292BA, Dubois, Wyoming  
Facility ID No. 56589  
Request for Special Temporary Authorization

Dear Mr. Kehl:

This letter refers to the November 17, 2010, request for Special Temporary Authorization ("STA") filed on behalf of Riverton Broadcasting, Inc., licensee of expired FM Translator Station DK292BA, Dubois, Wyoming (the "Station").

An application for renewal of DK292BA's license should have been filed by June 1, 2005. No such application was filed, and the Station's license expired on October 1, 2005. Accordingly, on October 18, 2010, the staff wrote to the licensee, indicating that the Station's license had expired and that: (1) all authority to operate the Station was terminated; and (2) the Station's call letters had been deleted from the Commission's data base. The licensee was advised that any operation of the station was then unauthorized and must cease immediately.<sup>1</sup> Upon receipt of the *License Expiration Letter*, the licensee tendered both a license renewal application for the Station<sup>2</sup> and the subject request for Special Temporary Authorization to continue station operations pending consideration of the license renewal application. It also filed a Petition for Reconsideration of the *License Expiration Letter* on November 23, 2010.

In the STA request, the licensee states that it inadvertently failed to file a timely renewal application. It now requests STA to resume Station operations pending consideration of the renewal application for Station DK292BA.

Under Section 309(f) of the Communications Act, 47 U.S.C. Section 309(f), when an appropriate application has been filed, the Commission may grant special temporary authorization if it finds that there are extraordinary circumstances requiring temporary operation is in the public interest and that delay in the institution of such temporary operations would seriously prejudice the public interest. In this case, we believe that the public interest in

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<sup>1</sup> *Letter to Steve Kehl*, Ref. 1800B3-KAW (Chief, Audio Division, Media Bureau, Oct. 18, 2010) (the "*License Expiration Letter*").

<sup>2</sup> See File No. BRFT-20101105AHY.

continuing Station DK292BA's FM translator broadcast service to the residents of Dubois, Wyoming, warrants resumed operation of the station pending consideration and disposition of the (untimely) renewal application.

Accordingly, the November 17, 2010, request for Special Temporary Authorization filed by Riverton Broadcasting, Inc. IS GRANTED, and it may resume operation of DK292BA, Dubois, Wyoming, with the facilities for which the license expired on October 1, 2005. This authorization will expire: (1) 180 days from the date of this letter; or (2) upon action on the pending DK292BA license renewal application, whichever is sooner. Grant of this authorization is without prejudice to whatever action, if any, the staff deems appropriate in light of the failure to file a timely license renewal application for DK292BA.

Sincerely,



Peter H. Doyle  
Chief, Audio Division  
Media Bureau

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0386 (July 2002)	FOR FCC USE ONLY
<b>Legal STA</b>		FOR COMMISSION USE ONLY FILE NO. BLSTA - 20101117AKS
Read Instructions/FAQ before filling out form		

**Section I - General Information**

1.	Legal Name of the Applicant RIVERTON BCNG, INC		
	Mailing Address 603 E. PERSHING AVE.		
	City RIVERTON	State or Country (if foreign address) WY	Zip Code 82501 -
	Telephone Number (include area code) 5208207585		E-Mail Address (if available) MELINDA@MYIPTAY.COM
	FCC Registration No 0010306884	Call Sign DK292BA	Facility ID Number 56589
2.	Contact Representative (if other than licensee/permittee) RIVERTON BCNG, INC		Firm or Company Name
	Mailing Address 603 E. PERSHING AVE.		
	City RIVERTON	State or Country (if foreign address) WY	ZIP Code 82501 -
	Telephone Number (include area code) 5208207585		E-Mail Address (if available) MELINDA@MYIPTAY.COM
3.	Purpose:		
	<input type="radio"/> Engineering STA		
	<input type="radio"/> Extension of Existing Engineering STA		
	<input checked="" type="radio"/> Legal STA		
	<input type="radio"/> Extension of Existing Legal STA		
4.	Service: FX		
5.	Community of License: City: DUBOIS State: WY		
6.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input type="radio"/> Governmental Entity <input type="radio"/> Noncommercial Educational Licensee/Permittee <input type="radio"/> Other <input checked="" type="radio"/> N/A (Fee Required)		
7.	Please explain in detail the "extraordinary circumstances" which warrant temporary operations at variance from the Commission's Rules. In addition, please specify 1) the specific rules and/or policies from which the applicant seeks temporary relief; 2) how the public interest will be furthered by grant; and 3) the expected duration of the STA and the licensee's plan for restoration of licensed operation.		[Exhibit 38]
8.	Anti-Drug Abuse Act Certification. Applicant certifies that neither applicant nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.		<input checked="" type="radio"/> Yes <input type="radio"/> No

I hereby certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations.

Typed or Printed Name of Person Signing STEVE KEHL	Typed or Printed Title of Person Signing STEVE KEHL
Signature	Date (mm/dd/yyyy) 11/17/2010

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

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## Exhibits

### Exhibit 38

**Description:** STA REQUEST TO CONTINUE BROADCAST OPERATIONS

THIS IS AN STA REQUEST TO CONTINUE BROADCAST OPERATIONS DURING LICENSE RENEWAL.

BY THE LETTER DATED OCTOBER 18, 2010, THE MEDIA BUREAU TERMINATED K292BA (DK292BA) OPERATING AUTHORITY BECAUSE NO BROADCAST LICENSE RENEWAL APPLICATION WAS FILED. YOU ARE ADVISED THAT ANY FAILURE IN THIS REGARD BY THE LICENSEE WAS UNINTENTIONAL AND DUE SOLELY TO INADVERTENT ADMINISTRATIVE OVERSIGHT.

THIS BROADCAST STATION CONTINUES TO SERVE AN IMPORTANT PUBLIC INTEREST BY TRANSLATING THE SIGNAL OF STATION KDLY(FM). LICENSE RENEWAL IS DESIRED AND A LICENSE RENEWAL APPLICATION IS NOW ON FILE (FILE NO. BRFT-20101105AHY). THIS IS NOT A CASE OF PIRATE STATION OPERATIONS, AS THIS STATION HAS HELD AN AUTHORIZED BROADCAST LICENSE FOR MORE THAN 30 YEARS. SPECIAL TEMPORARY AUTHORITY IS IN THE PUBLIC INTEREST BECAUSE IT WILL ALLOW K292BA (DK292BA) TO CONTINUE BROADCAST OPERATIONS TO THE PUBLIC AND TO SERVE THE RESIDENTS OF THE DUBOIS, WYOMING AREA WHILE THE FCC PROCESSES THE PENDING LICENSE RENEWAL APPLICATION.

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### Attachment 38

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