

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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February 17, 2011

Freddie Begay
Spirit Media
Box 365
Kealahou, Hawaii 96750

Re: Spirit Media
K241AO(FX), Cortez, Colorado
Facility Identification Number: 139432
Special Temporary Authority

Dear Mr. Begay:

This is in reference to the request filed February 14, 2011, on behalf of Spirit Media ("SM"). SM requests extension of the special temporary authority ("STA") granted on June 28, 2010, to operate Station K241AO with temporary facilities.¹ In support of the request, SM states that it continues to seek a new, permanent location for the translator.

We note that the previous STA expired on December 28, 2010. Our review indicates that the circumstances presented warrant grant of STA in order to provide for service to the public, and that the requested STA facilities are the same as were previously authorized. However, in light of the lapse of time between the expiration of the prior STA and the filing of the instant request, it will be considered as a request for a new STA; the authority granted will not cover the period between the expiration of the prior STA and the filing of the instant request.

Accordingly, the request for STA IS HEREBY GRANTED. Station K241AO may operate with the following facilities:

Geographic coordinates:	37° 20' 57" N, 108° 35' 23" W (NAD 1927)
Channel	241 (96.1 MHz)
Effective radiated power:	0.2 kilowatt (H&V)
Antenna height:	
above ground:	6 meters
above mean sea level:	1893 meters

SM 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 K241AO is licensed for operation on Channel 241D (96.1 MHz) with effective radiated power of 0.205 kilowatt (H&V) and antenna height above ground of 16 meters.

1.1310. The authority granted herein does not cover the period between December 28, 2010, and February 14, 2011, and is without prejudice as to whatever action the Commission may take with respect to operation of Station K241AO during the foregoing period.

This authority expires on **August 17, 2011**.

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 stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Spirit Media