

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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March 14, 2011

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

Re: Horizon Christian Fellowship
K264AY(FX), Chamberlain, South Dakota
Facility Identification Number: 149593
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 11, 2011, on behalf of Horizon Christian Fellowship ("HCF"). HCF requests special temporary authority ("STA") to operate FM Translator Station K264AY with temporary facilities.¹ In support of the request, HCF states that the licensed site has been lost, that the station currently is silent and that it faces the loss of its license if it does not resume broadcasting on or before March 23, 2011. HCF proposes operation of Station K264AY from the licensed tower with reduced power and antenna height. HCF further states that it has filed an application for construction permit, but that the application will not be granted in time to preserve the license.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities, and Section 73.1680, which governs emergency antenna operation.

Accordingly, the request for STA IS HEREBY GRANTED. Station K264AY may operate with the following facilities:

Geographic coordinates:	43° 47' 59" N, 99° 18' 57" W (NAD 1927)
Channel	264 (100.7 MHz)
Effective radiated power:	0.001 kilowatt (V only)
Antenna height:	
above ground:	6 meters
above mean sea level:	526 meters
above average terrain:	43 meters

HCF must notify the Commission when licensed operation is restored. HCF must use whatever means are necessary to protect workers and the public from exposure to radio frequency radiation

¹ K264AY is licensed for operation on Channel 264D (100.7 MHz) with effective radiated power of 0.015 kilowatt (H&V) and antenna height above average terrain of 74 meters.

in excess of the Commission's exposure guidelines. *See* 47 CFR § 1.1310.

This authority expires on **September 14, 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Horizon Christian Fellowship