

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

June 20, 2011

Mark N. Lipp, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: KBLA (AM), Santa Monica, California
Facility Identification Number: 34385
Multicultural Radio Broadcasting Licensee, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 16, 2011, on behalf of Multicultural Radio Broadcasting Licensee, LLC ("MRB"). MRB requests special temporary authority ("STA") to operate Station KBLA with temporary facilities.¹ In support of the request, MRB states that it plans to move commonly-owned Station KYPA to one of the KBLA towers as authorized by Construction Permit BP-20050228ACB. MRB states that it will be necessary to operate nondirectionally with reduced power during the installation of the KYPA antenna.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits and may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power. Our review indicates that the proposed STA operation meets the technical provisions of Section 73.1615.

Accordingly, the request for STA IS HEREBY GRANTED. Station KBLA may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation with a nondirectional antenna and reduced power not to exceed 12.5 kilowatts also is authorized, only as necessary to facilitate the construction work. It will be necessary to further reduce power or cease operation if complaints of interference are received. MRB must notify the Commission when licensed operation is restored.² MRB 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.

¹ KBLA is licensed for operation on 1580 kHz with 50 kilowatts daytime and 50 kilowatts nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

This authority expires on **December 20, 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 long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Multicultural Radio Broadcasting Licensee, LLC