

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
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October 5, 2011

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

Re: Escuela de la Raza Unida
KERU-FM, Blythe, California
Facility Identification Number: 19750
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 4, 2011, on behalf of Escuela de la Raza Unida ("ERU"). ERU requests special field test authority ("SFTA") to operate Station KERU-FM from a site other than the licensed site.¹ For reasons which are discussed herein, the request is denied.

ERU proposes to operate a test station for the purpose of evaluating the suitability of a transmitter location on Cunningham Peak. ERU states that, if the location proves acceptable, it will file an application to relocate KERU-FM to this location. ERU requests waiver of Section 73.1515(c)(2) to permit operation with normal broadcast programming.

Our review indicates that ERU is proposing operation on its currently licensed channel with normal broadcast programming; thus, the proposed operation is more properly considered as a special temporary authority ("STA"), rather than an SFTA. However, ERU proposes a substantial improvement in the facilities of Station KERU-FM, in that the antenna height above average terrain would be increased from 70 meters to 669 meters, while maintaining the effective radiated power at the currently licensed level, albeit with the use of a directional antenna. The proposal would more than double the 60 dBu service area, from approximately 1000 square kilometers to 2300 square kilometers, necessarily resulting in significant extension of the 60 dBu contour beyond the currently licensed contour. An increase in service area of this magnitude warrants the thorough staff review given to an application for construction permit, rather than either an STA or an SFTA.

¹ KERU-FM is licensed for operation on Channel 203A (88.5 MHz) with effective radiated power ("ERP") of 1 kW (H&V) and antenna height above average terrain ("HAAT") of 70 meters.

Accordingly, the request for SFTA IS HEREBY DENIED. This action is taken pursuant to 47 CFR Section 0.283. The action taken herein does not preclude ERU from filing an application for construction permit to modify the facilities of Station KERU-FM².

Sincerely,

A handwritten signature in blue ink that reads "Charles N. Miller". The signature is fluid and cursive, with the first name "Charles" being the most prominent.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Escuela de la Raza Unida

² In the event that the site should prove unacceptable upon completion of construction, ERU could request cancellation of the permit and revert to its currently licensed facilities.