

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

November 28, 2011

John C. Trent, Esq.
Putbreso Hunsaker & Trent, P.C.
200 South Church Street
Woodstock, Virginia 22664

Re: Pilgrim Communications, Inc.
KVLE (AM), Vail, Colorado
Facility Identification Number: 16272
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed November 16, 2011, on behalf of Pilgrim Communications, Inc. ("PCI"). PCI requests special temporary authority ("STA") to operate Station KVLE with emergency antenna facilities pursuant to Section 73.1680.¹ In support of the request, PCI states that, following the accidental destruction of its tower, it has lost the use of its licensed site. PCI requests STA for continued operation with an emergency antenna, and provides technical details for the proposed STA operation.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) provides that AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth. Our review indicates that the request complies with Section 73.1680.

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

Geographic coordinates:	39° 35' 18" N, 106° 25' 53" W (NAD 1927)
Frequency:	610 kHz
Operating hours:	Unlimited
Operating power:	Not to exceed 0.217 kW
Antenna:	Information Station Specialists, loaded whip with ground plane
Overall height:	8 meters (25') above rooftop of existing building

It will be necessary to further reduce power or cease operation if complaints of interference are received.

¹ KVLE is licensed for operation on 610 kHz with 5 kilowatts daytime and 0.217 kilowatt nighttime, employing a nondirectional antenna (ND-1-U).

PCI must notify the Commission when licensed operation is restored.² PCI 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. The authority granted herein does not cover the period between March 16, 2010, and the date of this letter, and is without prejudice as to whatever action the Commission may take with regard to operation of Station KVLE during the foregoing period.

This authority expires on **May 28, 2012**.

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: Pilgrim Communications, Inc.

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