

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

February 10, 2012

Anthony T. Lepore, Esq.
Box 823662
South Florida, Florida 33082-3662

Re: CRC Media West, LLC
KXPS (AM), Thousand Palms, California
Facility Identification Number: 22342
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed February 8, 2012, on behalf of CRC Media West, LLC ("CRC"). CRC requests special temporary authority ("STA") to operate Station KXPS with parameters at variance and/or reduced power while maintaining monitor points within licensed limits, and with a nondirectional antenna and reduced power.¹ In support of the request, CRC states that new Station KPSF is being co-located with KXPS. CRC requests STA so that the necessary diplexing equipment can be installed while providing for the protection of workers. CRC further states that the work will commence on or about February 16, 2012, and will end on or about March 4, 2012.

Our review indicates that the proposed STA operation complies with the technical provisions of Section 73.1615, which governs operation during modification of facilities. In order to allow for possible effects on the KXPS directional patterns and the need for the filing and processing of an application for direct measurement of operating power, STA is granted for the full, statutory term.

Accordingly, the request for STA IS HEREBY GRANTED. Station KXPS may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation with a temporary nondirectional antenna and reduced power not to exceed 0.9 kilowatt daytime and 0.1 kilowatt nighttime also is authorized, only as necessary to facilitate the planned antenna construction work. It will be necessary to further reduce power or cease operation if complaints of interference are received. CRC must notify the Commission when

¹ KXPS is licensed for operation on 1010 kHz with 3.6 kilowatts daytime and 0.4 kilowatt nighttime, employing different directional antenna patterns daytime and nighttime (DA-2-U). Construction Permit BMP-20110519AAA authorizes co-location of new, unbuilt Station KPSF with KXPS; pending Application BMP-20120125AAB corrects the spacing of Tower #5 and modifies the daytime and nighttime directional patterns. The permit expires on March 4, 2012.

licensed operation is restored.² CRC 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.

This authority expires on **August 10, 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: CRC Media West, LLC

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