

FEDERAL COMMUNICATIONS COMMISSION  
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April 10, 2012

Joan Stewart  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006

Re: WKTA (AM), Evanston, IL  
Facility Identification Number: 52909  
Polnet Communications, Ltd.  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed April 5, 2012, on behalf of Polnet Communications, Ltd. ("Polnet"). Polnet requests special temporary authority ("STA") for continued operation of Station WKTA pursuant to Section 73.1615<sup>1</sup>. In support of the request, Polnet states that it is completing construction of modified WKTA facilities authorized by Construction Permit BP-20090819AEA, and is preparing to file a moment method application for license. Polnet also states that it is in the process of installing diplexing equipment to allow co-owned station WEEF (Facility ID No. 72957) to share the WKTA antenna system, and is replacing and adjusting detuning circuits for six adjacent cellular radio towers.

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, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduct nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken.

Our review indicates that operation with 1.25 kW nondirectional power during daytime hours to permit completion of construction and adjustment of detuning networks, with daytime antenna monitor parameters at variance while maintaining licensed monitoring point limits, and, subsequently, with the substantially adjusted daytime and nighttime directional antenna patterns authorized by the permit is permissible.

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<sup>1</sup> WKTA is licensed for operation on 1330 kHz with 5 kW daytime and 17 watts at night, employing a directional antenna during daytime hours only (DAD-U). Construction Permit BP-20090819AEA authorizes a nighttime power increase to 110 watts with a change to a directional antenna at night (DAN-U).

Accordingly, the request for STA IS HEREBY GRANTED. When operating with the substantially adjusted nighttime directional parameters, operating power shall be reduced to the currently licensed level of 0.017 kilowatt except as necessary to take measurements. It will be necessary to reduce power or cease operation if complaints of interference are received. It is anticipated that an application for license to cover the permit will be filed in the near future. Polnet 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 **October 10, 2012**.

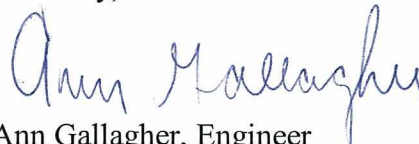
**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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,

A handwritten signature in blue ink that reads "Ann Gallagher". The signature is written in a cursive, flowing style.

Ann Gallagher, Engineer  
Audio Division  
Media Bureau