

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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April 23, 2012

Wolfgang Kurtz, President
Alaska Educational Radio System, Inc.
33282 Brown's Lake Road
Soldotna, Alaska 99669

Re: KRAW(FM), Kasilof, Alaska
Facility Identification Number: 93248
Alaska Educational Radio System, Inc.
Special Temporary Authorization

Dear Mr. Kurtz:

This is in reference to the request filed on April 20, 2012, on behalf of Alaska Educational Radio System, Inc. ("AERS"). AERS seeks special temporary authority ("STA") to operate Station KRAW with temporary facilities.¹ In support of the request, AERS states that, absent grant of the requested STA, Station KRAW will be off the air for over a year as of April 25, 2012. AERS requests operation from the licensed site² with reduced power and antenna height. AERS further states that it has acquired a new site for the station and that an application for modification of facilities is forthcoming.

Our review indicates that Station KRAW has been silent since April 24, 2011, and thus faces the loss of its license if it does not resume broadcasting on or before April 24, 2012. Consequently, the Public Interest would be served by grant of the requested STA, in order to preserve the station's license pending the filing, processing and implementation of an application for construction permit. Our review further indicates that, for reasons not readily apparent, a request for STA filed May 8, 2008, remains pending; that request is dismissed as moot.

Accordingly, the request for STA IS HEREBY GRANTED. Station KRAW may operate from its licensed site (See Note 2, below) with reduced power and antenna height, employing a temporary, vertically polarized antenna. AERS must notify the Commission when licensed operation is restored. AERS 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. In light of the action taken herein, the STA request filed May 8, 2008, IS DISMISSED as moot.

This authority expires on **October 23, 2012**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license

¹ Station KRAW is licensed for operation on Channel 213A (90.5 MHz) with effective radiated power ("ERP") of 0.5 kilowatts (H only), and antenna height above average terrain ("HAAT") of 60 meters.

² The request incorporates a correction of geographic coordinates for the licensed site, to 60° 22' 42" N, 151° 11' 38" W.

will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also* *Public Notice*, Expedited Processing of Applications Filed by Silent Stations, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

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 stylized flourish at the end.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Alaska Educational Radio System, Inc.