

**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/](http://www.fcc.gov/mb/audio/)

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February 7, 2013

Marnie K. Sarver, Esq.  
Wiley Rein LLP  
1776 K Street  
Washington, DC 20006

Re: KHJ(AM), Los Angeles, CA  
Facility Identification Number: 37224  
LBI Radio License LLC  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed February 5, 2013, on behalf of LBI Radio License LLC ("LRL"). LRL requests special temporary authority ("STA") to operate station KHJ(AM) from its authorized construction permit (CP) site with its authorized daytime facilities (BP-20120504AAAF), and to operate non-directionally at night with power reduced to 1250 watts.<sup>1</sup>

On January 28, 2013, applicant filed the notification required by Section 73.1615 of the FCC rules relating to the relocation of KHJ(AM) to a new site and also filed an STA request. In support of their request, LRL states that KHJ(AM) proposes to operate non-directionally at night with reduced power until operation of the new nighttime directional antenna is established. Since the process is expected to take more than 30 days, the applicant has filed an STA in compliance with Section 73.1615(c)(1) of the rules.

Accordingly, the request for STA IS HEREBY GRANTED. Station KHJ(AM) may operate from its authorized CP site with authorized daytime facilities and non-directionally at night with a reduced power of 1250 watts.

It will be necessary to further reduce power or cease operation if complaints of interference are received. LRL must notify the Commission when licensed operation is restored.<sup>2</sup> LRL 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 **May 8, 2013**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law upon twelve consecutive months of silence. *See* Pub. Law No.

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<sup>1</sup> KHJ(AM) is licensed for operation on 930 kHz with 5 kilowatts of non-directional daytime power and 5 kilowatts of directional nighttime power (DAN-U).

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.61(b).

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,

  
Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: LBI Radio License LLC