

**FEDERAL COMMUNICATIONS COMMISSION**  
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June 19, 2013

Jeff Fuller  
5-Star Communications Inc.  
101 Chief Street  
Cherokee, IA 51012

Re: 5-Star Communications Inc.  
KVTK(AM), Vermillion, South Dakota  
Facility Identification Number: 14709  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed June 12, 2013, on behalf of 5-Star Communications Inc. ("5-Star"). 5-Star requests special temporary authority ("STA") to operate station KVTK(AM) with emergency antenna facilities pursuant to 73.1680.<sup>1</sup>

In support of the request, 5-Star states that groundskeepers working at the KVTK(AM) transmitter site clipped one of the tower guy wires. The damage to and failure of the guy wire resulted in the collapse of the tower that is utilized as the radiator for KVTK(AM). Therefore, 5-Star is seeking STA to operate utilizing a long wire antenna. The antenna is a quarter-wavelength in length at the frequency of 1570 kHz.

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.

Accordingly, the request for STA IS HEREBY GRANTED. Station KVTK(AM) may operate with an emergency nondirectional antenna and power not to exceed its licensed daytime power of 500 watts, and licensed nighttime power of 71 watts. It will be necessary to further reduce power or cease operation if complaints of interference are received. 5-Star must notify the Commission when licensed operation is restored.<sup>2</sup> 5-Star 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.

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<sup>1</sup> KVTK(AM) is licensed for operation on 1570 kHz with 0.5 kilowatt daytime and 0.071 kilowatt nighttime, employing a non-directional antenna (ND-1-U).

<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).

This authority expires on **December 16, 2013**.

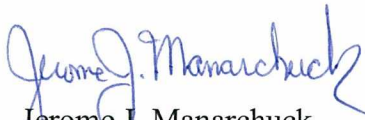
**STA Advisory:** Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: 5-Star Communications Inc.