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August 20, 2013

Anne G. Crump
Fletcher, Heald & Hildreth, PLC
1300 North 17th Street, 11th Floor
Arlington, VA 22209

Re: KETX (FM), Sulphur Bluff, TX
North Texas Radio Group, L.P.
Facility Identification Number: 166035
Special Temporary Authority
BSTA-20130815AAE

Dear Counsel:

This is in reference to the request filed August 15, 2013, on behalf of North Texas Radio Group, L.P. ("NTRG"). NTRG requests special temporary authority ("STA") to operate Station KETX with reduced power.¹ KETX was taken silent on September 1, 2011 by the previous licensee because of problems with the station's transmitter, and because power was no longer available at the site. After NTRG acquired the station, it operated KETX for a short period on STA (BSTA-20120816ABE) at the end of August 2012, taking the station silent again on August 30, 2012. Because the station is required to resume operations by August 30, 2013 to avoid automatic cancellation of the station's license,² NTRG says it has restored power at the site and that a new solid state transmitter has been delivered to the site. NTRG requests authority to operate with reduced power from its authorized site pending the filing, grant, and implementation of its long-promised application for modified facilities.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

¹ KETX is licensed for operation on Channel 259A (99.7 MHz) with an effective radiated power of 6 kilowatts (H&V) and an antenna height above average terrain of 73 meters.

² As a matter of law, and under Section 312(g) of the Communications Act, a silent station must resume operation within one year of falling silent, or the license is automatically forfeited. Thus KETX is required to resume operation on or before August 30, 2013 in order to preserve the station's license.

Our review indicates that the request complies with Section 73.1560(d). Accordingly, the request for STA IS HEREBY GRANTED. Station KETX may resume operation at reduced power. We expect that operation on this STA shall continue throughout the term of this STA. NTRG must notify the Commission if and when licensed operation is restored. NTRG must use whatever means are necessary to protect workers and the public from radiofrequency exposure in excess of the Commission's exposure guidelines. See 47 CFR § 1.1310.

This authority expires on February 16, 2014.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending August 30, 2013**], notwithstanding the grant of the present STA. 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). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

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.

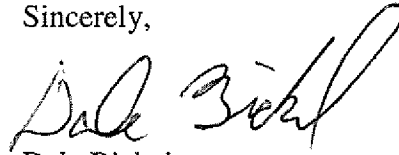
Accordingly, Special Temporary Authorities by nature are to be temporary and are not intended for extended use. Licensees of stations operating under temporary authorities are reminded that timely restoration of permanent facilities is the responsibility of the licensee and should be undertaken expeditiously. 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 black ink, appearing to read "Dale Bickel". The signature is fluid and cursive, with the first name "Dale" and last name "Bickel" clearly distinguishable.

Dale Bickel,
Senior Engineer
Audio Division
Media Bureau

cc: North Texas Radio Group, L.P