

**FEDERAL COMMUNICATIONS COMMISSION
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May 7, 2014

Troy G. Langham
Capstar TX LLC
2625 S. Memorial Drive, Suite A
Tulsa, OK 74129

Re: Capstar TX LLC
KFIV(AM), Modesto, CA
Facility Identification Number: 12959
Special Temporary Authority

Dear Mr. Langham:

This is in reference to the STA request filed on behalf of Capstar TX LLC ("CTL") and granted to AM station KFIV(AM) on April 2, 2014. CTL requested special temporary authority ("STA") to operate station KFIV(AM) with parameters at variance from its licensed facility (BL-20001025AAT).¹ Specifically, CTL has filed a new Method of Moments computer model proof. The required sampling system verification and matrix measurements have been completed and new antenna system parameters have been calculated, however the calculated patterns differ from the stations licensed parameters by more than 3 degrees and 5% specified in 73.62(a). Thus the station requested STA to operate with parameters at variance with the station's license in order to establish reference field strength values at the required reference points.

An STA was granted allowing the station to operate with parameters at variance, however the STA stated that the nighttime power needed to be reduced to 0.85 kilowatts. After an inquiry by the applicant and further review of the situation we believe the power reduction is not necessary.

Accordingly, the STA granted on April 2, 2014 IS HEREBY MODIFIED, and station KFIV(AM) may operate during daytime and nighttime hours with licensed power and parameters at variance. It will be necessary to further reduce power or cease operation if complaints of interference are received. CTL 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 **September 28, 2014**.

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

¹ KFIV(AM) is licensed for operation on 1360 kHz with a daytime power of 4 kilowatts and a nighttime power of 0.95 kilowatts, employing different directional antenna patterns (DA2-U).

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: Capstar TX LLC