

**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/)

ENGINEER: Jerome J. Manarchuck  
TELEPHONE: (202) 418-7226  
FACSIMILE: (202) 418-1410  
E-MAIL: [Jerome.Manarchuck@fcc.gov](mailto:Jerome.Manarchuck@fcc.gov)

August 13, 2015

Lotus Sacramento Corp.  
3301 Barnham Boulevard  
Suite 200  
Los Angeles, CA 90068

Re: Lotus Sacramento Corp.  
KMJE(AM), Olivehurst, CA  
Facility Identification Number: 160999  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed August 11, 2015, on behalf of Lotus Sacramento Corp. ("Lotus"). Lotus requests special temporary authority ("STA") to operate KMJE(AM) with parameters at variance. However, the station is basically seeking operation with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup>

In support of the request, Lotus states that the KMJE(AM) nighttime site, shared with and owned by KMYC(AM) requires tower repair work which will disturb the KMJE(AM) licensed nighttime directional antenna operation. Thus, in order to facilitate these repairs and maintain nighttime service, it is requested that KMJE(AM) be allowed to operate non-directionally at night with 120 watts. This is 25% of the licensed nighttime power of 480 watts. Lotus proposes to employ one of the three authorized nighttime towers for the STA operation.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities. In particular, Section 73.1680(b)(1) states that AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. In addition, AM stations using an emergency nondirectional antenna in lieu of authorized directional facilities shall operate with power reduced to 25 percent or less of the nominal licensed power, or a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth.

Accordingly, the request for STA IS HEREBY GRANTED. Station KMJE(AM) may operate non-directionally during nighttime hours with up to 25% of the licensed nighttime power from one of the towers in its nighttime array. There is no proposed change to the daytime facility. It will be necessary to further reduce power or cease operation if complaints of interference are received. Lotus must notify the Commission when licensed operation is restored.<sup>2</sup> Lotus must also use

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<sup>1</sup> KMJE(AM) is licensed for operation on 890 kHz with a daytime power of 10 kilowatts and nighttime power of 0.48 kilowatt, employing different directional antenna patterns (DA2-U).

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

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 addition, base impedance measurements will need to be made for the KMJE(AM) array to show that the modeled tower impedances still agree with the measured values within +/- 2 ohms and +/- 4 percent for resistance and reactance.

This authority expires on **February 9, 2016**.


**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: Eileen Breslin, Esq. (via email only)