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1300 North 17th Street, 11th Floor
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Re: KSDS(FM), San Diego, California
Facility Identification Number: 58818
San Diego Community College District
Special Temporary Authorization

Dear Counsel:

This is in reference to the requests filed February 7 and 27, 2007, on behalf of San Diego Community College District ("SDCC"). The February 7 filing requested special temporary authority ("STA") to operate Station KSDS with with 8 kilowatts; following consultation with the staff, a superseding request for operation with 3 kilowatts was filed February 27.¹ SDCC states that it is in the process of installing modified facilities for Station KSDS authorized by Construction Permit BPED-19940802MA (*See Note 1, below*).

Section 73.1615, which governs operation during modification of facilities, provides that licensees holding construction permits for modification of directional or nondirectional FM and TV or nondirectional AM facilities may discontinue operation, may operate with temporary facilities to maintain, as nearly as possible, but not exceed, the size of the currently licensed coverage area.

Accordingly, the February 7, 2007, request for STA IS DISMISSED, and the February 27, 2007, request for STA IS GRANTED. Station KSDS may operate from its licensed site with the following facilities:

Channel	202 (88.3 MHz)
Effective radiated power:	Not to exceed 3 kilowatts (V only)
Antenna height:	
above ground:	54 meters
above mean sea level:	159 meters
Above average terrain:	75 meters

¹ KSDS is licensed (BLED-505) for operation on Channel 202A (88.3 MHz) with effective radiated power ("ERP") of 0.83 kilowatt (H only) and antenna height above average terrain of 52 meters. Construction Permit BPED-20020219ABE authorized operation with ERP of 3 kilowatts (V only) and HAAT of 75 meters. Application BLED-20020405ABG is pending. Thus, the 3 kilowatt facility will be considered the "licensed" facility for STA purposes. Construction Permit BPED-19940802MA, which was granted on October 31, 2006, following a protracted, contested proceeding, authorizes an increase in ERP to 22 kilowatts (Max-DA, V only).

SDCC must notify the Commission when licensed operation is restored. SDCC 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. Upon filing of an application for license to cover Construction Permit BPED-19940802MA and all related exhibits, SDCC may commence program test operation with the authorized directional antenna and effective radiated power not to exceed 11 kilowatts.²

This authority expires on **May 28, 2007**.

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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: San Diego Community College District

² See Section 73.1620(a)(2).