

**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/)

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March 19, 2007

Kathryn R. Schmeltzer, Esq.  
Shaw Pittman LLP  
2300 N Street NW  
Washington, DC 20037-1128

Re: KXO-FM, El Centro, California  
Facility Identification Number: 35970  
KXO, Inc.  
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed May 3, 2006, on behalf of KXO, Inc. ("KI"). KI requests extension of the special temporary authority ("STA") granted on November 22, 2004, to operate Station KXO-FM with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, KI states that it has located a new site for the station, has obtained approval for the new tower from the FAA and is in the process of filing an application with the Commission.

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.

Our review indicates that Construction Permit BPH-20061013ABF was granted on October 30, 2006. Thus, extension of STA is warranted to allow time for construction of the newly authorized facilities.<sup>2</sup>

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station KXO-FM may continue to operate from its licensed site with the following facilities:

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<sup>1</sup> KXO-FM is licensed for operation on Channel 298B (107.5 MHz) with effective radiated power ("ERP") of 25.5 kilowatts (H&V) and antenna height above average terrain ("HAAT") of 48 meters. Construction Permit BPH-20061013ABF authorized relocation of the transmitter, an increase in ERP to 50 kilowatts (Max-DA, H&V) and an increase in HAAT to 87 meters.

<sup>2</sup> We note that an application for construction permit for co-located Station KXO(AM) remains pending.

Channel	298 (107.5 MHz)
Effective radiated power:	6 kilowatts (H&V)
Antenna height:	
above ground:	24 meters
above mean sea level:	-32 meters
Above average terrain:	26 meters

KI must notify the Commission when licensed operation is restored. KI 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 19, 2007**.

Sincerely,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: KXO, Inc.