

FEDERAL COMMUNICATIONS COMMISSION
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June 28, 2016

KHWY, Inc.
1611 E. Main Street
Barstow, CA 92311

Re: KIXW-FM (FM), Lenwood, CA
KHWY, Inc.
Facility Identification Number: 89344
Special Temporary Authority
BSTA-20160624ABZ

Dear Licensee:

This is in reference to the request filed June 24, 2016, on behalf of KHWY, Inc. KHWY, Inc. indicates that the station has lost its licensed transmitter site effective July 1, and requests Special Temporary Authority to operate from a temporary antenna mounted on the existing tower at the construction permit site (BPH-20160525ACM), until the construction permit installation can be completed.

The STA IS GRANTED. KHWY, Inc. may operate KIXW-FM with the temporary facilities described in the STA request. KHWY, Inc. 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 December 24, 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,



Dale Bickel
Senior Engineer
Audio Division
Media Bureau

cc: Marissa Repp (via e-mail only)