

FEDERAL COMMUNICATIONS COMMISSION
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July 12, 2016

Midwest Television, Inc.
7677 Engineer Road
San Diego, CA 92111

Re: Midwest Television, Inc.
KFMB(AM), San Diego, CA
Facility Identification Number: 42120
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed July 11, 2016, on behalf of Midwest Television, Inc. ("MTI"). MTI requests special temporary authority ("STA") to operate station KFMB(AM) at night with reduced power.¹ In support of the request, MTI states KFMB(AM) currently operates with a licensed AM nighttime power of 50 kilowatts with transmission facilities located near the Pacific Ocean. A substantial portion of KFMB(AM)'s highly directional signal is expended over the Pacific Ocean and its signal to the east is greatly restricted because of the need to protect other licensees. Therefore, MTI requests STA to assess the results of a reduce power operation at night using its present nighttime directional antenna system. Station KFMB(AM) believes it may be able to serve its present nighttime audience adequately with 10 kilowatts.

Section 73.1560(d), which governs reduced power operation, states:

In the event it becomes technically impossible to operate at authorized power, a broadcast station may operate at reduced power for a period of not more than 30 days without specific authority from the FCC. If operation at reduced power will exceed 10 consecutive days, notification must be made to the FCC in Washington, DC, Attention: Audio Division (radio) or Video Division (television), Media Bureau, not later than the 10th day of the lower power operation. In the event that normal power is restored within the 30 day period, the licensee must notify the FCC of the date that normal operation was restored. If causes beyond the control of the licensee prevent restoration of the authorized power within 30 days, a request for Special Temporary Authority (see Section 73.1635) must be made to the FCC in Washington, DC for additional time as may be necessary.

Although it is not technically impossible for the station to operate with its authorized power, we feel that a reduced power STA authorization will help KFMB(AM) with its process of figuring out how to maximize its signal serving land-based listeners and reducing seaward radiation.

Accordingly, the request for STA IS HEREBY GRANTED. Station KFMB(AM) may operate with

¹ KFMB(AM) is licensed for operation on 760 kHz with a daytime power of 5 kilowatts and a nighttime power of 50 kilowatts, employing a directional antenna pattern at night (DAN-U).

reduced power. Saga must notify the Commission when licensed operation is restored. Saga must also 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. It is noted that although we feel the grant of the STA is warranted, further extension of the request will most likely not be granted. Instead, if the station feels that 10 kilowatts will adequately serve the station's audience then KFMB(AM) should go ahead and file a 301 application for a reduced power operation.

This authority expires on **January 8, 2017**.

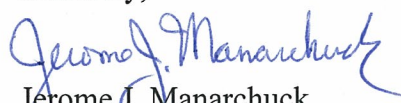
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: John S. Logan, Esq. (via email only)