

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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September 19, 2016

Crocodile Broadcasting Corporation, Inc.
3540 S I-10 Service Road W, Suite 342
Matarie, LA 70001

Re: K285FF (FM), Metairie, LA
Crocodile Broadcasting Corporation, Inc.
Facility Identification Number: 150611
Special Temporary Authority
BSTA-20160912ACA

Dear Licensee:

This is in reference to the request filed September 12, 2016, on behalf of Crocodile Broadcasting Corporation, Inc. ("Crocodile"). Crocodile explains that it is presently unable to complete construction of K285FF's construction permit BPFT-20160728AFM, and is unlikely to be able to do so before the one year silent period expires. Specifically, Crocodile must return K285FF to operating status **no later than November 11, 2016** to avoid automatic cancellation of the station's license pursuant to Section 312(g) of the Communications Act. Crocodile requests Special Temporary Authority (STA) to operate K285FF at the construction permit ERP of 0.250 kW, from a lower, existing antenna at the construction permit site.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service¹ to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

The proposed operation at 0.250 kW would cause the STA 60 dBu service contour to extend well beyond the 60 dBu contour of the licensed facility. Consequently, the proposal as filed does not qualify for STA. However, we have determined that if the ERP is reduced to 0.020 kW (20 watts), the STA operation's 60 dBu service area would remain within the licensed 60 dBu service area, excepting only a small area to the southeast. We conclude that operation at 0.020 kW would be acceptable, and we will grant this STA at the reduced power level.

¹ For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

The request for STA IS HEREBY GRANTED. Translator K285FF may commence temporary operation with the following facilities only:

Coordinates: 29° 55' 12" N Latitude, 90° 01' 28" W Longitude (NAD27)
Channel 285 (104.9 MHz)
Effective radiated power: **0.020 kilowatts (H&V) – ERP IS LIMITED TO THIS VALUE**
Antenna height:
 above ground: 233 meters
 above mean sea level: 232 meters
 above average terrain: 230 meters
Antenna Structure Registration No.: 1020780

On the same date that K285FF commences operations pursuant to this STA, the licensee (or its representative) shall confirm the start of STA operations via an e-mail to Dale Bickel, dale.bickel@fcc.gov. This date will be entered into the Commission's CDBS database to indicate that the station has resumed broadcasting. Crocodile must also file a Notice of Resumption of Operations in the CDBS electronic filing system.

Crocodile 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 March 18, 2017.

We remind the licensee that the station's license will expire as a matter of law upon twelve consecutive months of silence [**ending November 11, 2016**], notwithstanding the grant of the present STA. See Pub. Law No. 104-104, 110 Stat. 56, Section 403(1) (1996) and Order, Silent Station Authorizations, FCC 96-218 (released May 17, 1996). See also Public Notice, *Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). Please be aware that unauthorized operations – operations with facilities not authorized by a current STA or license – do not count as a resumption of operations within one year for the purposes of Section 312(g) of the Communications Act, and cannot be used to avoid the consequences of Section 312(g). See *A-O Broadcasting Corporation*, FCC 08-10, 23 FCC Rcd 603, released January 8, 2008.

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: Francisco Montero (via e-mail only)