

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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January 4, 2017

Fresh Air, Inc.  
1808 Riverside Avenue  
Minneapolis, MN 55454

Re: KFAI (FM), Minneapolis, MN  
Fresh Air, Inc.  
Facility Identification Number: 22630  
Special Temporary Authority  
BSTA-20161228AAF

Dear Licensee:

This is in reference to the request filed December 28, 2016 on behalf of Fresh Air, Inc. ("Fresh Air"). Fresh Air requests Special Temporary Authority (STA) to continue operations at reduced power with a temporary replacement antenna, following wind damage to its licensed antenna system.

The request for STA IS GRANTED. Station KFAI may continue to operate as described in the STA request.<sup>1</sup> Fresh Air must notify the Commission when licensed operations resume. Fresh Air 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 July 3, 2017.**

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**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.

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<sup>1</sup> However, the channel number is corrected from Channel 211 in the STA request to Channel 212 so as to match the channel for licensed operation.

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: John Crigler (via e-mail only)