

FEDERAL COMMUNICATIONS COMMISSION
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July 27, 2007

Dan J. Alpert, Esq.
2120 North 21st Road, Suite 400
Arlington, Virginia 22201

Re: KLSN(FM), Hudson, Texas
Facility Identification Number: 77846
Peggy Sue Marsh, Administrator
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed July 16, 2007, on behalf of Peggy Sue Marsh, Administrator ("PSM"). PSM requests special temporary authority ("STA") to operate Station KLSN from a site other than the licensed site.¹ In support of the request, PSM states that the station has lost its licensed site. PSM provides technical details for the proposed STA operation.

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 service² to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area³ without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA. Our review indicates that the proposed STA operation complies with the foregoing criteria.

Accordingly, the request for STA IS HEREBY GRANTED. Station KLSN may operate with the following facilities:

Geographic coordinates:	31° 21' 10" N, 94° 43' 10" W (NAD 1927)
Channel	242 (96.3 MHz)
Effective radiated power:	0.1 kilowatt (H&V)
Antenna height:	
above ground:	16 meters
above mean sea level:	110 meters

¹ KLSN is licensed for operation on Channel 242A (96.3 MHz) with effective radiated power of 1.35 kilowatts (H&V) and antenna height above average terrain of 212 meters.

² For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

³ For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Above average terrain: 29 meters

PSM must notify the Commission when licensed operation is restored. PSM 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 **January 27, 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,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Peggy Sue Marsh, Administrator