

FEDERAL COMMUNICATIONS COMMISSION
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April 6, 2017

South Texas Broadcasting, Inc.
4880 Santa Rosa Road
Camarillo, CA 93012

Re: South Texas Broadcasting, Inc.
KLUP(AM), Terrell Hills, TX
Facility Identification Number: 34975
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed April 4, 2017, on behalf of South Texas Broadcasting, Inc. ("STB"). STB requests special temporary authority ("STA") to operate station KLUP(AM) during nighttime hours with parameters at variance from license values and/or reduced power while maintaining monitor points within license limits.¹ In support of the request, STB states that KLUP(AM) has been experiencing monitor point readings exceeding maximum as specified on the license for the 10 degree night radial. STB also states that the current monitor point on the radial is no longer valid due to power lines. Thus, station personnel are in the process of selecting a new monitor point location for the 10 degree radial.

In the meantime, KLUP(AM) requests STA for operation at night with directional antenna parameters at variance from their licensed values and/or reduced antenna input power as necessary to maintain all monitor points within their licensed maximum values. STB also states that after selection of the new monitor point, an FCC Form 302, the required partial proof information and new monitor point description for the affected radial will be filed.

Accordingly, the request for STA IS HEREBY GRANTED. Station KLUP(AM) may operate with parameters at variance from license values and/or reduced power while maintaining monitor points within license limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. STB must notify the Commission when licensed operation is restored.² STB 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 **October 3, 2017**.

¹ KLUP(AM) is licensed for operation on 930 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing a directional antenna pattern at night (DAN-U).

² *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b)


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: Frank R. Jazzo, Esq. (via email only)