

FEDERAL COMMUNICATIONS COMMISSION
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August 10, 2007

Marissa G. Repp, Esq.
Hogan & Hartson LLP
555 Thirteenth Street NW
Washington, D.C. 20004-1109

Re: KHTY(AM), Bakersfield, CA
Facility Identification Number: 40868
AMFM Radio Licenses, LLC
Special Temporary Authority

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Dear Counsel:

This is in reference to the request filed July 12, 2007, on behalf of AMFM Radio Licenses, LLC (AMFM). AMFM requests Special Temporary Authority (STA) for operation of station KHTY with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.¹ In support of the request, AMFM states that the requested STA is necessary to accommodate the nearby construction of modified facilities for Station KGDP.

Accordingly, the request for STA IS HEREBY GRANTED, Station KHTY may operate with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. KHTY 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 **February 10, 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

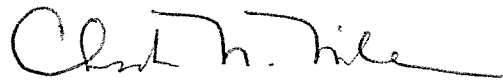
¹ Station KHTY is licensed for operation on 970 kHz with 1 kW daytime and 5 kW nighttime, employing different directional antenna patterns during daytime and nighttime hours (DA-2-U).

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: AMFM Radio Licenses, LLC