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August 16, 2018

Flathead Valley Wireless Association LLC
P.O. Box 1596
Kalispell, MT 59903

Re: Flathead Valley Wireless Association LLC
KGEZ(AM), Kalispell, Montana
Facility Identification Number: 60575
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed July 26, 2018, on behalf of Flathead Valley Wireless Association LLC ("FVW"). FVW requests special temporary authority ("STA") to operate station KGEZ(AM) with temporary emergency antenna facilities.¹ In support of the request, FVW states that the station is in the process of losing use of the station's licensed antenna system as the land owner wishes to develop the property. During the first stage of the development, KGEZ(AM) will lose the use of the west tower of the licensed array which will happen by the end of August. Therefore, the station requests STA to operate non-directionally from its east tower with the daytime power reduced to 1.25 kilowatts and the nighttime power reduced to 0.25 kilowatt.

Section 73.1680 of the Commission's rules provide for operation with emergency antenna facilities, provided that an informal request for continued use of an emergency antenna is filed with the Commission within 24 hours. In particular, Section 73.1680(b)(1) states that AM stations may use a horizontal or vertical wire or a nondirectional vertical element of a directional antenna as an emergency antenna. AM stations using an emergency nondirectional antenna or a horizontal or vertical wire pursuant to this section, in lieu of authorized directional facilities, shall operate with power reduced to 25% or less of the nominal licensed power, or, a higher power, not exceeding licensed power, while insuring that the radiated field strength does not exceed that authorized in any given azimuth for the corresponding hours of directional operation.

Accordingly, the request for STA IS HEREBY GRANTED. Station KGEZ(AM) may operate non-directionally with a daytime power not to exceed 1.25 kilowatts and a nighttime power not

¹ KGEZ(AM) is licensed for operation on 600 kHz with a daytime power of 5 kilowatts and a nighttime power of 1 kilowatt, employing different directional antenna patterns (DA2-U).

to exceed 0.25 kilowatt. It will be necessary to further reduce or cease operation if complaints of interference are received. FVW 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 12, 2019**.

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: John C. Trent, Esq. (via email only)