

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

**ENGINEER:** CHARLES N. (NORM) MILLER  
**TELEPHONE:** (202) 418-2767  
**FACSIMILE:** (202) 418-1410  
**E-MAIL:** [charles.miller@fcc.gov](mailto:charles.miller@fcc.gov)

March 26, 2008

Michael Couzens, Esq.  
Attorney at Law  
6536 Telegraph Avenue, Suite B-201  
Oakland, California 94609

Re: Jackson Hole Community Radio, Inc.  
KHOL(FM), Jackson, Wyoming  
Facility Identification Number: 92620  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed March 25, 2008, on behalf of Jackson Hole Community Radio, Inc. ("JHCR"). JHCR requests special temporary authority ("STA") to operate Station KHOL with temporary facilities.<sup>1</sup> In support of the request, JHCR states that it completed construction of new broadcast facilities for Station KHOL as authorized by Construction Permit BPED-19981231MK and filed an application for license<sup>2</sup> to cover the permit; however, unusually harsh weather conditions at the mountaintop transmitter site have delayed installation of the studio-to-transmitter link ("STL"). JHCR requests STA to commence operation of Station KHOL with a temporary antenna at the studio building, until conditions at the transmitter site permit installation of the STL and commencement of full-power 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 service<sup>3</sup> to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>4</sup> 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 KHOL may operate with the following facilities:

Geographic coordinates:	43° 28' 55" N, 110° 45' 52" W (NAD 1927)
Channel	206 (89.1 MHz)

<sup>1</sup> KHOL is authorized (BPED-19981231MK) for operation on Channel 206C3 (89.1 MHz) with effective radiated power of 2.2 kilowatts (H&V) and antenna height above average terrain of 336 meters. Application BLED-20080311ABJ, for license to cover the permit, is pending before the Commission.

<sup>2</sup> BLED-20080311ABJ; See Note 1, above.

<sup>3</sup> For AM - 5 mV/m; for commercial FM - 3.16 mV/m; for noncommercial educational FM - 1.0 mV/m.

<sup>4</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Effective radiated power:	0.1 kilowatt (V only)
Antenna height:	
above ground:	15 meters
above mean sea level:	1909 meters
Above average terrain:	-263 meters

JHCR must notify the Commission when licensed operation is restored. JHCR 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 **September 26, 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: Jackson Hole Community Radio, Inc.