

**FEDERAL COMMUNICATIONS COMMISSION
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November 7, 2019

Multicultural Radio Broadcasting Licensee, LLC
40 Exchange Place
Suite 1010
New York, NY 10005

Re: Multicultural Radio Broadcasting Licensee, LLC
KSJX(AM), San Jose, CA
Facility Identification Number: 4118
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed October 28, 2019, on behalf of Multicultural Radio Broadcasting Licensee, LLC ("MRB"). MRB requests special temporary authority ("STA") to operate station KSJX(AM) with parameters at variance from its licensed facilities.¹ Specifically, MRB requests that station KSJX(AM) be permitted to operate with its nighttime directional pattern and power during daytime and nighttime hours.

In support of the request, RLH states that the control cable to tower #3 has failed and therefore the station is operating with 5 kilowatts of power during daytime hours using the three nighttime towers. Until the issue is resolved, the station requests STA to operate day and night employing the nighttime directional pattern with a power of 5 kilowatts.

Accordingly, the request for STA IS HEREBY GRANTED, however the **daytime power must be reduced to 400 watts** in order to prevent prohibited interference to first adjacent station KZNB(AM) on 1490 kHz at Petaluma, California and KSFN(AM) on 1510 kHz at Piedmont, California. It will be necessary to further reduce power or cease operation if complaints of interference are received. KSJX(AM) must notify the Commission when licensed operation is restored.² KSJX(AM) 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.

¹ KSJX(AM) is licensed for operation on 1500 kHz with a daytime power of 10 kilowatts and a nighttime power of 5 kilowatts, employing different directional antenna patterns (DA2-U).

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

This authority expires on **May 6, 2020**.

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,

A handwritten signature in black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive, flowing style.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Mark N. Lipp, Esq. (via email only)