

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

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

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January 14, 2020

Gabrielle Broadcasting Licensee  
Ordinal I FCC, LLC  
C/O Stephan C. Cloan, Media Services Group, Receiver  
90 Bow Street  
East Greenwich, RI 02818

Re: Gabrielle Broadcasting Licensee  
Ordinal I FCC, LLC  
KXEG(AM), Phoenix, AZ  
Facility Identification Number: 10975  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed January 9, 2020, on behalf of Gabrielle Broadcasting Licensee Ordinal I FCC, LLC ("GBL").<sup>1</sup> GBL requests special temporary authority ("STA") to operate station KXEG(AM) from an alternate site location with a temporary long-wire antenna.<sup>2</sup>

In support of the request, GBL states that this instant request for an engineering STA is part of a combined effort to restore KXEG(AM) and K241CS to operations prior to the one year anniversary of the stations remaining silent. KXEG(AM) went silent on February 4, 2019 and therefore the station's license will automatically expire if broadcast operations do not commence by 12:01 a.m., February 5, 2020. Thus, an STA is requested to relocate KXEG(AM) to a different location and operate with a temporary long-wire antenna.

Specifically, KXEG(AM) proposes to operate daytime only from a site located 12.2 kilometers (7.6 miles) from its currently licensed site. The station lost the lease for its licensed site and therefore operation from an alternate site is necessary. Operation is proposed with a reduced power of 90 watts employing a 120 foot (36.6 meters) long-wire antenna supported between an existing 90 foot tower and a support pole. The base of the antenna will be elevated at least 10 feet

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<sup>1</sup> Staff granted the Form 316 pro forma assignment application (BAL-20200108AAF) from Gabrielle Broadcasting Licensee Ordinal I FCC, LLC to Stephan C. Sloan, Media Services Group, Receiver on January 14, 2020.

<sup>2</sup> KXEG(AM) is licensed for operation on 1280 kHz with a daytime power of 2.5 kilowatts and a nighttime power of 0.049 kilowatt, employing a non-directional antenna pattern (ND2-U).

above the ground.

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 to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>3</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Accordingly, the request for STA is GRANTED. Station KXEG(AM) may operate with the following facilities:

Geographic coordinates	33° 35' 39" N, 112° 05' 08" W (NAD 1927)
Frequency	1280 kHz
Hours of operation	Daytime
Operating power	90 watts
Antenna type	120 foot (36.6 meters) long-wire antenna

It will be necessary to further reduce power or cease operation if complaints of interference are received. KXEG(AM) must notify the Commission when licensed operation is restored. KXEG(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.

This authority expires on **July 13, 2020**.

Notwithstanding the grant of this STA or the expiration date specified herein, the station's license will expire as a matter of law if broadcast operations do not commence by 12:01 a.m., February 5, 2020. *See* Pub. Law No. 104-104, 110 Stat. 56, Section 403(1)(1996) and *Order, Silent Station Authorizations*, FCC 96-218 (released May 17, 1996). *See also Public Notice, Expedited Processing of Applications Filed by Silent Stations*, DA 96-818 (May 22, 1996). The licensee must notify the Audio Division immediately upon resumption of broadcasting.

**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

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<sup>3</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

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 dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck  
Audio Division  
Media Bureau

cc: Stephen C. Sloan (via email only)  
Victor A. Michael, Jr. (via email only)