

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

ENGINEER: Jerome J. Manarchuck

TELEPHONE: (202) 418-7226

FACSIMILE: (202) 418-1410

E-MAIL: Jerome.Manarchuck@fcc.gov

August 11, 2020

Asian American Broadcasting, LLC
636 Montana Ave. E.
St. Paul, MN 55130

Re: Asian American Broadcasting, LLC
KFXN(AM), Minneapolis, MN
Facility Identification Number: 10141
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed August 10, 2020, on behalf of Asian American Broadcasting, LLC ("AAB"). AAB requests special temporary authority ("STA") to operate KFXN(AM) with emergency antenna facilities.¹

In support of the request, AAB states that the center tower of the KFXN(AM) array collapsed on August 10, 2020. The collapse severed the feed lines to the center and west towers and therefore, KFXN(AM) is currently operating with only the east tower at a reduced power of 120 watts. The station requests STA to continue to operate non-directionally with a daytime power of 120 watts and non-directionally at night with a power of 4 watts, until the tower and feed line issues can be addressed.

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 KFXN(AM) may operate nondirectionally during daytime hours with a power not to exceed 125 watts. During nighttime

¹ KFXN(AM) is licensed for operation on 690 kHz with a daytime power of 0.5 kilowatt and a nighttime power of 0.004 kilowatt, employing different directional antenna patterns (DA2-U).

hours the station may operate non-directionally with its licensed power of 4 watts. It will be necessary to further reduce or cease operation if complaints of interference are received. AAB 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 7, 2021**.

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 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
Electronics Engineer
Audio Division
Media Bureau

cc: John Wells King, Esq. (via email only)