



Federal Communications Commission
Washington, D.C. 20554

March 9, 2021

KXOJ, Inc.
2448 E. 81st St.
Suite 5500
Tulsa, OK 74137

Re: KXOJ, Inc.
KYAL(AM), Sapulpa, OK
Fac. ID No.: 35974
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 1, 2021, on behalf of KXOJ, Inc. ("KI"). KI requests special temporary authority ("STA") to operate station KYAL(AM) with temporary non-directional facilities.¹

In support of the request, KI states that copper thieves have damaged the KYAL(AM) ground system and ATUs. Therefore, the station requests emergency operation from one of the towers in the KYAL(AM) directional antenna array. Specifically, KYAL(AM) requests STA to operate non-directionally with a reduced daytime power of 0.625 kilowatt and a reduced nighttime power of 0.022 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. Although the nighttime power is greater than 25% of the nominal licensed power and there is slight extension in predicted coverage from azimuths 294° through 24° true, we feel the power is warranted in order for KYAL(AM) to continue to serve Sapulpa. Station KYAL(AM) may operate non-directionally from one of the towers in its array with a reduced daytime power of 0.625 kilowatt and a reduced nighttime power of 0.022 kilowatt. It will be necessary to further reduce or cease operation if complaints of interference are received. KYAL(AM) must use whatever means are necessary to

¹ KYAL(AM) is licensed for operation on 1550 kHz with a daytime power of 2.5 kilowatts and a nighttime power of 0.04 kilowatt, employing different directional antenna patterns (DA2-U).

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 5, 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
Audio Division
Media Bureau

cc: Rick Jesse (via email only)