



Federal Communications Commission  
Washington, D.C. 20554

August 26, 2021

Rox Radio, LLC  
114 Harrison Ave.  
Lowell, AR 72745

Re: Rox Radio, LLC  
KREB(AM), Bentonville-Bella, AR  
Fac. ID No.: 30935  
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed August 12, 2021, on behalf of Rox Radio, LLC ("RRL"). RRL requests special temporary authority ("STA") to operate KREB(AM) with parameters at variance from its licensed facilities.<sup>1</sup>

In support of the request, RRL states that AM stations KREB(AM) and KFFK(AM) are licensed to operate from the same tower. Both stations also have construction permits to relocate to a new combined site and are experiencing a period of silence while the new site is being erected. During this time the disassembly of the old tower has begun, however both AM stations also have FM translator construction permits that need to be licensed. In order to license the FM translators, the primary AM stations must be operating in order to be rebroadcasted. Thus, KREB(AM) is seeking an STA to operate with reduced power from its licensed site using the remaining portion of the tower that has not be disassembled yet.

Specifically, KREB(AM) requests STA to operate non-directionally with a reduced daytime power of 0.04 kilowatt. Operation is proposed from the 44.2 meter (145 feet) portion of the tower that remains.

Accordingly, the request for STA IS HEREBY GRANTED. Station KREB(AM) may operate from its licensed site with the existing shortened tower and with a reduced daytime power of 0.04 kilowatt. It will be necessary to further reduce or cease operation if complaints of interference are received. RRL 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 22, 2022**.

**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

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<sup>1</sup> KREB(AM) is licensed for operation on 1190 kHz during daytime hours only with a power of 5 kilowatts, employing a non-directional antenna pattern (ND2-U).

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 C. Trent, Esq. (via email only)