

§ 73.1635

tests, applicants for new broadcast facilities that were granted after designation for a comparative hearing as a result of a post designation settlement or a decision favoring them after comparative consideration must report.

(1) Any deviations from comparative proposals relating to integration of ownership and management and diversification of the media of mass communication contained in their application for a construction permit at the time such application was granted; and

(2) Any deviations from an active/passive ownership structure proposed in their application for a construction permit at the time such application was granted.

(3) The reports referred to in paragraphs (g)(1) and (2) of this section shall not be required in any case in which the order granting the application relieved the applicant of the obligation to adhere to such proposals.

[43 FR 32784, July 28, 1978, as amended at 45 FR 6401, Jan. 28, 1980; 47 FR 28388, June 30, 1982; 49 FR 38132, Sept. 27, 1984; 56 FR 795, Jan. 9, 1991; 56 FR 25639, June 5, 1991; 57 FR 48333, Oct. 23, 1992; 62 FR 51059, Sept. 30, 1997; 65 FR 7648, Feb. 15, 2000; 65 FR 30004, May 10, 2000]

§ 73.1635 Special temporary authorizations (STA).

(a) A special temporary authorization (STA) is the authority granted to a permittee or licensee to permit the operation of a broadcast facility for a limited period at a specified variance from the terms of the station authorization or requirements of the FCC rules applicable to the particular class of station.

(1) A request for a STA should be filed with FCC in Washington, DC at least 10 days prior to the date of the proposed operation.

(2) The request is to be made by letter and shall fully describe the proposed operation and the necessity for the requested STA. Such letter requests shall be signed by the licensee or the licensee's representative.

(3) A request for a STA necessitated by unforeseen equipment damage or failure may be made without regard to the procedural requirements of this section (e.g. via telegram or tele-

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phone). Any request made pursuant to this paragraph shall be followed by a written confirmation request conforming to the requirements of paragraph (a)(2) of this section. Confirmation requests shall be submitted within 24 hours. (See also § 73.1680 Emergency Antennas).

(4) An STA may be granted for an initial period not to exceed 180 days. A limited number of extensions of such authorizations may be granted for additional periods not exceeding 180 days per extension. An STA necessitated by technical or equipment problems, however, may, in practice, be granted for an initial period not to exceed 90 days with a limited number of extensions not to exceed 90 days per extension. The permittee or licensee must demonstrate that any further extensions requested are necessary and that all steps to resume normal operation are being undertaken in an expeditious and timely fashion. The license of a broadcasting station that fails to transmit broadcast signals for any consecutive 12-month period expires as a matter of law at the end of that period, notwithstanding any STA or provision, term, or condition of the license to the contrary.

(5) Certain rules specify special considerations and procedures in situations requiring an STA or permit temporary operation at variance without prior authorization from the FCC when notification is filed as prescribed in the particular rules. See § 73.62, Directional antenna system tolerances; § 73.157, Antenna testing during daytime; § 73.158, Directional antenna monitoring points; § 73.691, Visual modulation monitoring; § 73.1250, Broadcasting emergency information; § 73.1350, Transmission system operation; § 73.1560, Operating power and mode tolerances; § 73.1570, Modulation levels; AM, FM, TV and Class A TV aural; § 73.1615, Operation during modification of facilities; § 73.1680, Emergency antennas; and § 73.1740, Minimum operating schedule.

(b) An STA may be modified or cancelled by the FCC without prior notice or right to hearing.

(c) No request by an AM station for temporary authority to extend its hours of operation beyond those authorized by its regular authorization

will be accepted or granted by the FCC except in emergency situations conforming with the requirements of § 73.3542, Application for Emergency Authorization. See also § 73.1250, Broadcasting Emergency Information.

[50 FR 30948, July 31, 1985, as amended at 58 FR 51250, Oct. 1, 1993; 60 FR 55482, Nov. 1, 1995; 61 FR 28767, June 6, 1996; 65 FR 30004, May 10, 2000]

§ 73.1650 International agreements.

(a) The rules in this part 73, and authorizations for which they provide, are subject to compliance with the international obligations and undertakings of the United States. Accordingly, all provisions in this part 73 are subject to compliance with applicable requirements, restrictions, and procedures accepted by the United States that have been established by or pursuant to treaties or other international agreements, arrangements, or understandings to which the United States is a signatory, including applicable annexes, protocols, resolutions, recommendations and other supplementing documents associated with such international instruments.

(b) The United States is a signatory to the following treaties and other international agreements that relate, in whole or in part, to AM, FM or TV broadcasting:

(1) The following instruments of the International Telecommunication Union:

- (i) Constitution.
- (ii) Convention.
- (iii) Radio Regulations.

(2) Regional Agreements for the Broadcasting Service in Region 2:

- (i) MF Broadcasting 535–1605 kHz, Rio de Janeiro, 1981.
- (ii) MF Broadcasting 1605–1705 kHz, Rio de Janeiro, 1988.

(3) Bi-lateral Agreements between the United States and Canada relating to:

- (i) AM Broadcasting.
- (ii) FM Broadcasting.
- (iii) TV Broadcasting.

(4) Bi-lateral Agreements between the United States and Mexico relating to:

- (i) AM Broadcasting.
- (ii) FM Broadcasting.
- (iii) TV Broadcasting.

(5) Bi-lateral Agreement between the United States and the Bahama Islands relating to presunrise operations by AM stations.

(6) North American Regional Broadcasting Agreement (NARBA), which, for the United States, remains in effect with respect to the Dominican Republic and the Bahama Islands.

The documents listed in this paragraph are available for inspection in the office of the Chief, Planning and Negotiations Division, International Bureau, FCC, Washington, DC. Copies may be purchased from the FCC Copy Contractor, whose name may be obtained from the FCC Consumer Assistance Office.

[54 FR 39737, Sept. 28, 1989, as amended at 56 FR 64872, Dec. 12, 1991; 60 FR 5333, Jan. 27, 1995]

§ 73.1660 Acceptability of broadcast transmitters.

(a)(1) An AM, FM, or TV transmitter shall be approved for compliance with the requirements of this part following the Supplier's Declaration of Conformity procedures described in subpart J of part 2 of this chapter.

NOTE 1 TO PARAGRAPH (a)(1): the verification procedure has been replaced by Supplier's Declaration of Conformity. AM, FM, and TV transmitters previously authorized under subpart J of part 2 of this chapter may remain in use. See § 2.950(j) of this chapter.

(2) An LPFM transmitter shall be certified for compliance with the requirements of this part following the procedures described in part 2 of this chapter.

(b) A permittee or licensee planning to modify a transmitter which has been certified or approved with Supplier's Declaration of Conformity must follow the requirements contained in § 73.1690.

(c) A transmitter which was in use prior to January 30, 1955, may continue to be used by the licensee, and successors or assignees, if it continues to comply with the technical requirements for the type of station at which it is used.

(d) AM stereophonic exciter-generators for interfacing with approved or