

Special Features

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FCC RULES: PRESUNRISE SERVICE AUTHORITY (PSA)

Since questions have been raised in recent DX Monitors regarding just what hour daytimers can sign on (generally 6 a.m. their local time), I thought you might like to see the FCC rule regarding PSA operation.

Generally, a PSA allows a daytimer to sign on at 6 a.m. year-round. Some daytimers located close to class I-A or class I-B stations may have to stay off the air till sunrise at the class I station, which could give the daytimer a sign-on time for a given month sometime between 6 a.m. and the daytimer's local sunrise. However, the 6 a.m. starting time applies to all regional channels (class III), as well as the six Mexican clear channels.

However, ANY daytimer (even those without PSA's) may sign off with full daytime power at its local sunrise. Thus, in months like April thru August, when sunrise is usually before 6 a.m., daytimers are authorized to sign on at times like 5:15 or 5:30 a.m., and a number of them DO.

Some daytimers, such as KGHO-1560 where I work, choose a uniform 6 a.m. sign-on time year-round, and never come on earlier. The idea is that listeners with AM clock radios who wake up before 6 a.m. may get used to waking up to the station in the summer, then be disappointed when the sign-on time reverts to 6 a.m. in the fall and winter. Other stations, though, don't worry about it, and prefer to operate EVERY hour that the FCC legally lets them. Oftentimes a station with a 24-hour FM that simulcasts during the day will sign on at sunrise in the spring and summer, rather than wait till 6 a.m., since the deejay is already there and all he has to do is turn on the AM transmitter!

There are some long-standing presunrise operations that continue under some kind of special authority, either from the FCC or from some court that has issued an injunction to allow pre-6-a.m. or full-power presunrise operation to continue as it did before late 1967, when the current presunrise rules were basically adopted. Some limited-time stations fall into this category. As you probably know, a limited-time station which is east of the class I station which makes it leave the air can stay on after local sunset until the sunset time at the class I station. (Examples: WHLO-640, WLIB-1190.) Up till 1967, this was balanced by a provision in the presunrise rules which allowed limited-time stations, as well as most daytimers and in fact, many fulltimers, to sign on with their full daytime facilities as early as 4 a.m. standard time (5 a.m. DST) as long as it was after sunrise in any class I stations on the channel (for clear channels only) and no objectionable interference was caused to any other stations on the channel. This meant limited-time stations like KGBS-1020 could sign on as early as KDKA's sunrise or 4 a.m. PST, whichever was later, to provide full-power operation before sunrise just like WIL0 provides after sunset till KFI's sunset. However, this provision was wiped out in the 1967 rulemaking proceeding, and while the hours of operation for a limited-time station still provide for post-sunset operation east of a class I station, they no longer provide for pre-sunrise operation west of a class I station except under a PSA, with its power limit of 500 watts and operation before 6 a.m. not allowed except when local sunrise is before 6 a.m. However, I understand that KGBS still signs on at 5:45 a.m., so they must have some special authority from a court or the FCC, especially if they use more than 500 watts presunrise, which they used to do.

KCTA-1030 Corpus Christi, Texas, is a special case in that they are NCT's "limited-time station" (that is, they can not operate Monday morning nighttime hours when WBZ is off), but are licensed to operate from Boston sunrise to Corpus Christi sunset. With 50 kw nondirectional, KCTA puts a nice signal this way during those "nighttime" hours in the West after Boston sunrise. KCTA signs on at 4 a.m. CDT in June.

Another special situation is limited-time KFAK-1100 San Francisco. KFAK uses its old power of 1 kw nondirectional during nighttime hours of 10 p.m. to 3 a.m. (0100-0600 ELT, which was KYW-1100's silent period years ago before it was WKYC and then WWNE). But KFAK somehow manages to sign on at 5 a.m. with its full daytime power of 50 kw and a directional pattern so strong to the north and south that KFAK actually sells religious programs in sunrise and sunset skip at special rates based on added coverage of Washington and Oregon, and changing the scheduling from winter to summer (i.e. 4 p.m. in December, 7:30 p.m. in June) to be sure distant skip listeners can hear the shows. Obviously, programs after 5 a.m. get out very well year-round, and I still don't really understand how KFAK can operate between 5 and 6 a.m. nor use more than 500 watts between 6 a.m. and sunrise - unless there's a court or FCC ruling somewhere. WWNE is also supposed to approve of KFAK's nighttime schedule, too - but WWNE may not really care since KREX probably ruins the channel anyway.

So you see, there ARE cases where a daytimer can legally operate before 6 a.m. local time, although not usually on a year-round basis. Any light into the special pre-6-a.m.

operations of stations like KFAK and KGBS would be greatly appreciated by your Special Features Editor.

SPECIAL NOTE: The PSA rules you see here are identical to the latest printed volume of FCC regulations. The FCC has just amended the rules to allow PSA operation on 1540 kHz by some 26 stations, following an agreement with the Bahamas on 9/4/74 (reported in 12/2/74 Broadcasting, used by permission); other stations on 1540 are too close to class I-B station KXEL. However, this rule change is too recent to be in print in the FCC rules volume just yet. -BH.

§ 73.99 Presunrise service authority.

(a) In order to afford the maximum uniformity in early morning operations compatible with interference considerations, the following classes of standard broadcast permittees and licensees are eligible to request presunrise service authority (PSA):

(1) Class II stations operating on clear channels other than Class I-A clear channels; Class II stations operating on Class I-A clear channels assigned to the United States under the NARBA or the U.S./Mexican Agreement, where such Class II stations are located west of co-channel Class I-A stations; and Class II stations operating on the Class I-A clear channels 730, 800, 900, 1050, 1220, and 1570 kHz, which are assigned to Mexico under the aforementioned agreements.

(2) Class III stations.

(b) When issued, a PSA will permit:

(1) Class II stations operating on Mexican Class I-A clear channels to commence operation with their daytime antenna systems at 6 a.m. local time, and to continue such operation until the sunrise times specified in their basic instruments of authorization, and other Class II stations, where eligible under paragraph (a)(1) of this section, to commence operation with their daytime or critical hours antenna systems either at 6 a.m. local time, or at the time of sunrise at the westernmost Class I station located east of the Class II stations (whichever is later), and to continue such operation until the sunrise times specified in their basic instruments of authorization. *Provided*, That the permissible power to be specified in a PSA shall not exceed 500 watts (or the authorized daytime or critical hours power, if less than 500 watts), or such lesser power as may be determined by computations made pursuant to paragraph (c) of this section.

(2) Class III stations to commence operation with their daytime antenna systems at 6 a.m. local time, and to continue such operation until local sunrise. *Provided*, That the permissible power, to be specified in the PSA, shall not exceed 500 watts or such lesser power as may be determined on the basis of calculations made pursuant to paragraph (c) of this section.

(c) Notwithstanding the provisions of §§ 1.571 and 1.590 of this chapter, requests for PSA's shall be treated as proposals for minor changes in existing facilities and, as such, are not subject to the procedural requirements or remedies applicable to applications for new facilities and major changes therein. PSA requests shall be submitted by letter, signed in the manner specified in § 1.618 of this chapter, with the following information:

(1) Name, call letters and station location.

(2) For Class II stations operating on clear channels other than Class I-A clear channels, a showing that objectionable interference as determined by the Standard Broadcast Technical Standards (§§ 73.182 to 73.190), or by the engineering standards of the NARBA (whichever is controlling), will not be caused within the 0.5 mv/m 50 percent skywave contour of any domestic Class I-B station, or of a Class I-B station in any country signatory to the NARBA, where the Class II station is located east of the Class I-B station; for Class II stations operating on Mexican Class I-A clear channels, and for Class II stations located east of co-channel Mexican Class I-B stations, a showing under the engineering standards of the United States/Mexican Agreement that the Class II station does not produce a signal in excess of 25 mv/m 10 percent skywave at any point on the co-channel Mexican Class I station's 0.5 mv/m 50 percent skywave contour which falls on Mexican territory, or more than 50 uv/m 10 percent skywave at any point on the Mexican border or boundary where the signal of the Mexican Class I station exceeds 0.5 mv/m 50 percent skywave in strength. In addition, the applicant must show that foreign Class II stations (if any) assigned to the same channel as the U.S. Class II station will receive full protection under the standards for nighttime operation set forth in the applicable agreement. If the foregoing protections cannot be achieved by the Class II station while operating with 500 watts, a showing may be submitted to establish the level to which power must be limited to preclude objectionable interference. *Provided*, That in relation to Canadian Class II stations, the permissible power level may be established in the manner described in paragraph (c)(3) of this section by the use of Figure 12 of § 73.190.

(3) For Class III stations, a showing that co-channel stations in foreign countries will receive full treaty protection. If such protection cannot be achieved on the basis of 500-watt operation, calculations may be submitted to establish the level to which power must

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be reduced to preclude objectionable interference: *Provided*, That with respect to Canadian Class III stations, such power level may be established by a showing that the radiation at the pertinent vertical angle toward co-channel Canadian stations does not exceed that defined in Figure 12 of § 73.190. If the latter showing cannot be made on the basis of 500-watt operation, calculations may be submitted to establish the level to which power must be reduced in order to limit radiation at the pertinent vertical angle to the values specified in Figure 12 of § 73.190.

(4) A description of the method whereby any proposed power reduction will be achieved.

(d) Calculations made under paragraph (c) of this section shall not take outstanding PSA's into account, nor shall the grant of a PSA confer any degree of interference protection on the holder thereof.

(e) Operation under a PSA is not mandatory, and will not be included in determining compliance with the requirements of § 73.71. To the extent actually undertaken, however, presunrise operation will be considered by the Commission in determining overall compliance with past programming representations and station policy concerning commercial matter.

(f) The PSA is secondary to the basic instrument of authorization and may be suspended, modified, or withdrawn by the Commission without prior notice or right to hearing, if necessary to resolve interference conflicts, to implement agreements with foreign governments, or in other circumstances warranting such action.

(g) The PSA will be issued for a term coinciding with the current basic instrument of authorization and, unless surrendered by the holder or suspended, modified or withdrawn by the Commission, will have continuing or renewed effect under succeeding instruments.

(h) The issuance of a PSA is intended to include the waiver of §§ 73.45, 73.182, and 73.188 in situations where the operation might otherwise be considered as technically substandard. However, such special conditions as the Commission may deem appropriate may be included in the PSA to insure the operation of the transmitter and associated equipment in accordance with all phases of good engineering practice.

(i) In the event of permanent discontinuance of presunrise operation, the PSA shall be forwarded to the Commission's Washington office for cancellation, and the Engineer in Charge of the radio district in which the station is located shall be notified accordingly.