



2400 MARKET STREET, 4TH FLOOR
PHILADELPHIA, PA 19103

March 30, 2022

via EMAIL (Victoria.McCauley@fcc.gov)

Marlene Dortch, Secretary
Federal Communications Commission
Office of the Secretary
45 L Street NE
Washington, DC 20554
Attn: Victoria McCauley,
Audio Division, Media Bureau

**Re: WXBK(FM), Newark, New Jersey (FIN 20886)
FCC File No. 0000131143
FRN 0004434866
Request for Tolling**

Dear Ms. Dortch:

Audacy License, LLC (“Audacy”), licensee of the above-referenced station (the “Station”) and permittee of the above-referenced construction permit (the “Permit”), for the reasons set forth herein, hereby requests to toll the expiration date of the Permit for a period of sixth (6) months. Audacy has taken significant steps to meet the Permit deadline, which are detailed herein. However, due to unanticipated and extraordinary circumstances beyond Audacy’s control, including several stemming from the COVID-19 pandemic, Audacy will need additional time to complete the buildout.

Shortly after the Permit was granted, Audacy signed a lease for the tower site identified in the Permit. After the lease was executed, another tenant at the site began a dispute with the tower owner over Audacy’s use of space in the transmitter site building. Until that dispute was resolved, which took nearly one year, Audacy was unable to move forward with the permitting process or ordering of equipment. By the time there was a resolution, COVID-19 had been declared a global pandemic, resulting in shutdowns and supply chain issues.

The tower site proposed in the Permit is located in wetlands near the MetLife Sports Complex in New Jersey, which has also presented a unique set of circumstances. The work at the site requires approval from the Borough of Rutherford, New Jersey (the “Borough”), the New Jersey Sports and Exposition Authority (“NJSEA”) and the Army Corp of Engineers (“ACOE”), with certain approvals being contingent upon others. Under normal circumstances, building permits and zoning approvals could be received in a matter of weeks. However, with COVID-19, many of these offices were closed for stretches of time or had approvals being handled remotely, which has led to long delays and a backlog of work. Instead of each level of approval



taking days or weeks, they have been taking months. Despite having submitted plans and approval requests months ago, Audacy is still waiting to receive approvals from the Borough, NJSEA and ACOE. In fact, the original permit package (from which all other zoning and permits requirements have stemmed) was filed in June 2021 and still has not been granted by the NJSEA.

In addition to the COVID-related zoning and building permit delays, the pandemic also delayed the delivery of equipment needed to complete the buildout. For example, insulators, which Audacy ordered in February 2021 that would normally deliver in weeks, were not delivered until January 2022.

Audacy has already spent a significant amount of money to complete the Permit buildout and has every intention of completing construction. Copies of some of the invoices related to the project are included with this request. Moreover, the Permit is conditioned upon Audacy modifying the facilities of its station WMAS-FM. That work was completed and Audacy filed the license application on March 29, 2022. *See* FCC File No. 0000187550. While Audacy has gone to great lengths to try to complete the buildout by the Permit deadline, the COVID-19 related delays have made that challenging. Therefore, Audacy is requesting that the Permit deadline be tolled for a six (6) month period.

Audacy, through its undersigned counsel, hereby certifies that neither Audacy nor any party holding an attributable interest in Audacy is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

In accordance with the instructions set forth in *Audio Division Announces Procedures Related to Coronavirus*, Public Notice, 35 FCC Rcd 2070 (Mar. 13, 2020), Audacy is submitting this request via email.

Please contact me at laura.berman@audacy.com or 202.571.6555 if there are any questions or if additional information is required.

Sincerely,



Laura Berman
Vice President, Legal

Enclosures



INVOICE

7777 Gardner Road • Chandler, IN 47610-9219 • USA • +1 812 925-6000 (tel) • +1 812 925-4027 (fax) • www.eriinc.com

INVOICE NO.	55417
INVOICE DATE	03/11/2020

Sold To
ENTERCOM NEW YORK 345 HUDSON STREET 10TH FLOOR NEW YORK, NY 10014 006521

Ship To
TBD

ORDER NO.	CUSTOMER P.O.	SHIP DATE		SHIP VIA	F.O.B.	PAYMENT TERMS	
37359A	JM218-10AR	3/5/2020			PREPAID	Due on receipt	
QUANTITY ORDERED	QUANTITY SHIPPED	U/M	ITEM NUMBER	DESCRIPTION		UNIT PRICE	EXTENDED PRICE
1	1	EA	ENGINEERING SERVI	FOUNDATION REVIEW Foundation Review: Review of the mast and guy anchor foundations by Nacamuli and Associates, the original designer of the WOR tower foundations, using the reactions calculated by ERI's 222-H analysis (#37359) of the superstructure. ERI will provide the calculated reactions to Nacamuli for analysis, along with other pertinent data requested by them to complete the analysis. The resulting review letter will be provided as an exhibit/appendix to ERI's structural analysis report.		\$1,800.00	1,800.00

05-NJ

RUR

Please Remit to: **Electronics Research, Inc.**

7777 Gardner Rd.

Chandler, IN 47610

PLEASE REFERENCE INVOICE NUMBER ON REMITTANCE

Past due accounts will be charged a finance charge of the lesser rate of 1.8% per month or the maximum permitted by law.

SUB-TOTAL	\$1,800.00
DISCOUNT	
SALES TAX	\$0.00
DEPOSIT	\$0.00
FREIGHT	\$0.00
INVOICE AMOUNT	\$1,800.00



Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

INVOICE

INVOICE NO.	55421
INVOICE DATE	3/11/2020

SOLD TO:
ENTERCOM NEW YORK 345 HUDSON STREET, 10TH FLOOR NEW YORK, NY 10014 nyeng@entercom.com 006521

SHIP TO:
TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359	116NSHERI	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20190423-313 BALANCE DUE ON ORDER AS FOLLOWS:		
1	ENGINEERING CLIMBING	ENGINEERING CLIMBING INSPECTION	13,500.00	\$ 13,500.00
1	STRUCTURAL ANALYSIS	STRUCTURAL ANALYSIS AND REPORT SITE LOCATION: RUTHERFORD, NJ TOWER: 658' GUYED TOWER ASRN: 1237848, 1237849, 1237850	3,500.00	\$ 3,500.00
1	VSSA	ADDITIONAL LOADING CONFIGURATIONS	500.00	\$ 500.00
1	VSES	PE SEALED DOCUMENTS	500.00	\$ 500.00
1		EACH ADDITIONAL COPY	50.00	\$ 50.00
		NET PACKAGE PRICE		\$ 18,050.00
		LESS PAYMENT REC'D VIA CK #1590001969 ON 5/7/2019		\$ (9,025.00)
		TERMS: 50% DEPOSIT DUE WITH ORDER BALANCE DUE PRIOR TO SHIPMENT		

For questions concerning this invoice contact accounts receivable at +1 (812) 925-6000 ext. 287

Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

SUB TOTAL	\$ 9,025.00
SALES TAX	\$ -
FREIGHT	\$ -
PAY THIS AMOUNT	\$ 9,025.00

7777 Gardner Road
Chandler, Indiana 47610-9219
USA

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CustomerSupport@eriinc.com
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(877) ERI - LINE (TFN)





Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

INVOICE

INVOICE NO.	WNSH-37359C
INVOICE DATE	2/8/2021

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SHIP TO:
TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359C	AR5909-020521-3	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20201229-019 50% DEPOSIT WITH ORDER:		
	1183-4CP-DA-SP	DIRECTIONAL 1180 MASTER FM PANEL ANTENNA		\$ 305,100.00
		TRANSMISSION LINE		\$ 38,789.69
	IT0058	FM ISOLATION TRANSFORMER TYPE 430		\$ 45,225.00
		TRANSMISSION LINE		\$ 19,934.08
	MT500D	DRYLINE DEHYDRATOR		\$ 2,805.00
	COMBINER	FM CHANNEL COMBINER		\$ 55,777.00
	SERVICE	RF FIELD SERVICE		\$ 17,550.00
	SERVICE	FM INSTALLATION		\$ 167,600.00
			NET PACKAGE PRICE	\$ 652,780.77
		TERMS: 50% DEPOSIT DUE WITH ORDER 50% OF MATERIAL PRIOR TO SHIPMENT 40% OF SERVICES PRIOR TO MOBILIZATION 10% OF SERVICES UPON SUBSTANTIAL COMPLETION		

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Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% DEPOSIT	\$ 326,390.38
SALES TAX	-
FREIGHT	-
PAY THIS AMOUNT	\$ 326,390.38

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Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

INVOICE

INVOICE NO.	WOR-37359D
INVOICE DATE	2/8/2021

SOLD TO:
ENTERCOM NEW YORK 345 HUDSON STREET, 10TH FLOOR NEW YORK, NY 10014
006521

SHIP TO:
TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359D	AR5909-020521-2	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20201118-835 50% DEPOSIT WITH ORDER:		
		REPAIR MODIFICATIONS		\$ 7,465.00
		TOWER REPAIR		\$ 60,466.00
			NET PACKAGE PRICE	\$ 67,931.00
		TERMS: 50% DEPOSIT DUE WITH ORDER 50% OF MATERIAL PRIOR TO SHIPMENT 40% OF SERVICES PRIOR TO MOBILIZATION 10% OF SERVICES UPON SUBSTANTIAL COMPLETION		

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Thank you for your business!

Make checks payable to:
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7777 Gardner Road
Chandler, IN 47610 USA

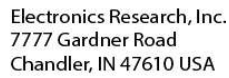
50% DEPOSIT	\$	33,965.50
SALES TAX	\$	-
FREIGHT	\$	-
PAY THIS AMOUNT	\$	33,965.50

7777 Gardner Road
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INVOICE NO.	WNSH-37359E
INVOICE DATE	2/8/2021

006521

TBD

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% DEPOSIT	\$ 277,914.50
SALES TAX	\$ -
FREIGHT	\$ -
PAY THIS AMOUNT	\$ 277,914.50

+1 (812) 925-6000 (TEL)
+1 (812) 925-4030 (FAX)
(877) ERI - LINE (TFN)





Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA
EIN: 35-1083384

INVOICE

INVOICE NO.	WNSH-3001
INVOICE DATE	8/16/2021

SOLD TO:

AUDACY INC.
345 HUDSON STREET, 10TH FLOOR
NEW YORK, NY 10014
Attn: JIM MCGIVERN

006521

SHIP TO:

TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359F	AR-59-09-ERI081621	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20210811-482 REV. A 50% DEPOSIT WITH ORDER:		
	1 CS350-AS1	MOUNTING FRAME	855.00	\$ 855.00
	1 CS350B-112	3-1/8" 4 PORT MOTORIZED VHF SWITCH	4,887.00	\$ 4,887.00
	1 SWP-200-1R2-3-1/8	SWP-200-1R2-3-1/8	11,500.00	\$ 11,500.00
	1 SWP OPTION #5	TRANSFER SWITCH WITH CONNECTORS 25' CABLE	330.00	\$ 330.00
	2 SWP OPTION #19	TRANSMITTER CONTROL INTERFACE CABLE	330.00	\$ 660.00
		INDOOR TRANSMISSION LINE		\$ 51,900.37
			NET PACKAGE PRICE	\$ 70,132.37
		TERMS: 50% DEPOSIT WITH ORDER BALANCE DUE PRIOR TO SHIPMENT		

For questions concerning this invoice contact accounts receivable at +1 (812) 925-6000 ext. 287

Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% DEPOSIT	\$ 35,066.18
SALES TAX	\$ -
FREIGHT	\$ -
PAY THIS AMOUNT	\$ 35,066.18

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Chandler, Indiana 47610-9219
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Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

INVOICE

INVOICE NO.	WOR-37359D-1
INVOICE DATE	8/20/2021

SOLD TO:
AUDACY OPERATIONS, INC. ENTERCOM NEW YORK 345 HUDSON STREET, 10TH FLOOR NEW YORK, NY 10014 006521

SHIP TO:
TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359D	AR5909-020521-2	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20201118-835 BALANCE DUE ON ORDER AS FOLLOWS:		
		REPAIR MODIFICATIONS - REINFORCEMENT MATERIALS		\$ 7,465.00
		TOWER REPAIR		\$ 60,466.00
		NET PACKAGE PRICE		\$ 67,931.00
		TERMS: 50% DEPOSIT DUE WITH ORDER 50% OF MATERIAL PRIOR TO SHIPMENT 40% OF SERVICES PRIOR TO MOBILIZATION 10% OF SERVICES UPON SUBSTANTIAL COMPLETION		

For questions concerning this invoice contact accounts receivable at +1 (812) 925-6000 ext. 287

Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% MATERIALS	\$	3,732.50
40% SERVICES	\$	24,186.40
FREIGHT	\$	-
PAY THIS AMOUNT	\$	27,918.90

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Electronics Research, Inc.
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Chandler, IN 47610 USA

INVOICE

INVOICE NO.	WNSH-37359C-1
INVOICE DATE	8/20/2021

SOLD TO:
AUDACY OPERATIONS, INC. ENTERCOM NEW YORK 345 HUDSON STREET, 10TH FLOOR NEW YORK, NY 10014 006521

SHIP TO:
TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359C	AR5909-020521-3	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20201229-019 BALANCE DUE ON ORDER AS FOLLOWS:		
	1183-4CP-DA-SP	DIRECTIONAL 1180 MASTER FM PANEL ANTENNA		\$ 305,100.00
		TRANSMISSION LINE		\$ 38,789.69
	IT0058	FM ISOLATION TRANSFORMER TYPE 430		\$ 45,225.00
		TRANSMISSION LINE		\$ 19,934.08
	MT500D	DRYLINE DEHYDRATOR		\$ 2,805.00
	COMBINER	FM CHANNEL COMBINER		\$ 55,777.00
	SERVICE	RF FIELD SERVICE		\$ 17,550.00
	SERVICE	FM INSTALLATION		\$ 167,600.00
			NET PACKAGE PRICE	\$ 652,780.77
		TERMS: 50% DEPOSIT DUE WITH ORDER 50% OF MATERIAL PRIOR TO SHIPMENT 40% OF SERVICES PRIOR TO MOBILIZATION 10% OF SERVICES UPON SUBSTANTIAL COMPLETION		

For questions concerning this invoice contact accounts receivable at +1 (812) 925-6000 ext. 287

Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% MAT PRIOR SHIP	\$ 233,815.38
40% SERV PRIOR MOB	\$ 74,060.00
CREDIT ON CBS ORDER	\$ (162,835.61)
PAY THIS AMOUNT	\$ 145,039.77

7777 Gardner Road
Chandler, Indiana 47610-9219
USA

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CustomerSupport@eriinc.com
www.eriinc.com

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(877) ERI - LINE (TFN)





INVOICE NO.	WNSH-37359E-1
INVOICE DATE	8/20/2021

AUDACY OPERATIONS, INC.
ENTERCOM NEW YORK
345 HUDSON STREET, 10TH FLOOR
NEW YORK, NY 10014

TBD

Make checks payable to:
Electronics Research, Inc.
 7777 Gardner Road
 Chandler, IN 47610 USA

50% MATERIALS	\$ 193,447.50
40% SERVICES	\$ 67,573.60
FREIGHT	\$ -
PAY THIS AMOUNT	\$ 261,021.10

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Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA
EIN: 35-1083384

INVOICE

INVOICE NO.	WNSH-37359G
INVOICE DATE	9/1/2021

SOLD TO:

AUDACY INC.
345 HUDSON STREET, 10TH FLOOR
NEW YORK, NY 10014
Attn: JIM MCGIVERN

006521

SHIP TO:

TBD

ORDER #	P.O. NUMBER	SHIP VIA	FOB	PAYMENT TERMS
37359G	AR59-09-ERI082521	COMMON CARRIER	ORIGIN	DUE UPON RECEIPT
QTY	ITEM NUMBER	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
		PER PROPOSAL AGREEMENT: 20210420-685 50% DEPOSIT WITH ORDER:		
		POST CONSTRUCTION INSPECTION: STRUCTURE: 600' GUYED TOWER LOCATION: RUTHERFORD, NJ FCC ASR: 1237850 REF PROJECT: 37359 C, D, AND E		\$ 9,140.00
		TERMS: 50% DEPOSIT WITH ORDER BALANCE DUE PRIOR TO SHIPMENT		
			NET PACKAGE PRICE	\$ 9,140.00

For questions concerning this invoice contact accounts receivable at +1 (812) 925-6000 ext. 287

Thank you for your business!

Make checks payable to:
Electronics Research, Inc.
7777 Gardner Road
Chandler, IN 47610 USA

50% DEPOSIT	\$	4,570.00
SALES TAX	\$	-
FREIGHT	\$	-
PAY THIS AMOUNT	\$	4,570.00

7777 Gardner Road
Chandler, Indiana 47610-9219
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(877) ERI - LINE (TFN)



Remit To: Send Checks to:
GatesAir, Inc
P.O. Box 732502
Dallas, TX 75373-2502

ACH/EFT:
Account Name: **GatesAir, Inc.**
Account Number: **441389496**
Routing Number: **102001017**
Bank Name/Address: **Chase N.A.**
1125 17th Street
Denver, CO 80202



Bill To: AUDACY WNSH
345 HUDSON STREET 10TH FLOOR
NEW YORK NY 10014

GatesAir
3200 Wismann Lane
Quincy, IL USA 62301

Invoice Number: GO10006072-3

Order Contact: GINGER OBERT		Invoice Date: November 30, 2021			
Payment Terms: IMMEDIATE		Account Number: 3310361			
Method of Shipment: TRUCK		Purchase Order: JM-AR59-09			
Order Date: February 8, 2021		Sales Order Number: GO10006072			
Line #	Product ID	Product or Service Description	Qty	Price Each	Extended Amount
	Quote Q-91422				
1	FLX40KFAX50HD	XMTR, FLX40KFAX50HD	2	202,207.00	404,414.00
2	FMXI4G		1	21,900.00	21,900.00
3	INSTALLATION		2	13,335.15	26,670.30
4	SPARES		1	13,125.00	13,125.00
				Q-91422 TOTAL	466,109.30
	Q-93977				
5	ARI6735E3 ALTRONIC 35KW 3-1/8IN EIA FLNG		1	8,598.00	8,598.00
				Q-93977 Total	
				ORDER TOTAL	474,707.30
	Terms:				
	1/3 Down Payment Due With Order			ACH 03/11/2021	(155,369.77)
	1/3 Down Prior to Shipment			ACH 05/28/2021	(155,369.77)
				TOTAL DEPOSITS	(310,739.54)
				NET 30 DAYS	163,967.76
				FREIGHT	6,520.00
				BALANCE DUE	170,487.76
	Balance Due Net 30				

Questions regarding this invoice?

FEIN: 46-4956212

Contact: Jackie Drebes
Phone: 217.221.7125
jdrebes@gatesair.com

This Invoice is subject to the Standard Terms and Conditions of Sale for GatesAir and are located at <http://www.gatesair.com/company/legal-compliance/terms-conditions>, which are incorporated herein by reference. The Standard Terms and Conditions for GatesAir shall apply to the exclusion of any other terms and conditions except where expressly agreed in writing and signed by GatesAir.
For a hard copy of these terms and conditions, please call U.S. (513) 459-3502 or fax your request to (513) 459-3796, Attn: Legal Dept., or email your request to GAContracts@gatesair.com.