

**FEDERAL COMMUNICATIONS COMMISSION**  
**445 TWELFTH STREET SW**  
**WASHINGTON DC 20554**

**MEDIA BUREAU**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** [www.fcc.gov/mb/audio/](http://www.fcc.gov/mb/audio/)

**ENGINEER:** CHARLES N. (NORM) MILLER  
**TELEPHONE:** (202) 418-2767  
**FACSIMILE:** (202) 418-1410  
**E-MAIL:** [charles.miller@fcc.gov](mailto:charles.miller@fcc.gov)

January 15, 2009

William K. Keane, Esq.  
Duane Morris, LLP  
1667 K Street NW, Suite 700  
Washington, DC 20006

Re: Northern Illinois University  
WNIJ(FM), DeKalb, Illinois  
Facility Identification Number: 49550  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed January 14, 2009, on behalf of Northern Illinois University ("NIU"). NIU requests special temporary authority ("STA") to operate Station WNIJ with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, NIU states that its licensed directional antenna has failed. NIU states that it has installed an emergency, one-bay, nondirectional antenna on the licensed tower and has restored operation with reduced power and antenna height.

Section 73.1680 of the Commission's rules provides for operation with emergency antenna facilities following damage to authorized antenna systems, 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)(2) provides that FM and TV stations may erect any suitable radiator, or use operable sections of the authorized antenna(s) as an emergency antenna. Our review indicates that the proposed nondirectional STA operation does not exceed the licensed directional pattern at any azimuth, and that interference to other stations is not likely to occur.

Accordingly, the request for STA IS HEREBY GRANTED. Station WNIJ may operate from its licensed site with the following facilities:

Channel	208 (89.5 MHz)
Effective radiated power:	7 kilowatts (H&V)
Antenna manufacturer and type:	ERI, FMH-1, nondirectional
Antenna height:	
above ground:	133 meters
above mean sea level:	369 meters

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<sup>1</sup> WNIJ is licensed for operation on Channel 208B (89.5 MHz) with effective radiated power of 50 kilowatts (Max-DA, H&V) and antenna height above average terrain of 128 meters.

Above average terrain: 117 meters

NIU must notify the Commission when licensed operation is restored. NIU 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 **July 15, 2009**.

**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,



Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Northern Illinois University