

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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June 10, 2009

Jake Riehm, Esq.
Wiley Rein LLP
1776 K Street NW
Washington, DC 20006

Re: WNYC-FM, New York, New York
Facility Identification Number: 73355
WNYC Radio
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed September 22, 2008, on behalf of WNYC Radio ("Radio"). Radio requests further extension of the special temporary authority ("STA") originally granted on July 26, 2002, to operate Station WNYC-FM with emergency antenna facilities pursuant to Section 73.1680.¹

In support of the request, Radio states that the WNYC-FM antenna had been located on the World Trade Center; that following the September 11, 2001, terrorist attack, it relocated to a temporary facility on the Empire State Building with effective radiated power ("ERP") of 0.8 kilowatt, that it was granted STA to operate from the roof of 4 Times Square ("4TS") with ERP of 13 kilowatts, and subsequently sought and was granted STA to operate from the ESB with ERP of 4 kilowatts. Radio states that the STA operation from the ESB provides service to 52,600 more persons than from the 4TS site.

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

¹ Station WNYC is licensed for operation on Channel 230B (93.9 MHz) with effective radiated power of 5.4 kilowatts (H&V), and antenna height above average terrain of 432 meters. Application BPH-20011120AAW proposes relocation of the transmitter and operation with ERP of 6 kilowatts and HAAT of 415 meters.

the problem.

Our review indicates that Radio has been prevented from restoring licensed operation due to causes beyond its control; thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WNYC-FM may continue to operate with the following facilities:

Geographic coordinates:	40° 44' 54" NL, 73° 59' 10" WL (NAD 1927)
Channel	230 (93.9 MHz)
Antenna manufacturer and type	ERI, ESB master antenna, nondirectional
Effective radiated power:	4 kilowatts (H&V)
Antenna height	
above ground:	413 meters
above mean sea level:	429 meters
above average terrain:	415 meters

Radio 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 **December 10, 2009**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller".

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: WNYC Radio