

FEDERAL COMMUNICATIONS COMMISSION
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MEDIA BUREAU
AUDIO DIVISION
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August 4, 2009

John Crigler, Esq.
Garvey, Schubert & Barer
1000 Potomac Street NW, Fifth Floor
Washington, DC 20007

Re: Colleges of the Seneca
W212BA(FX), Geneva, New York
Facility Identification Number: 86853
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed May 6, 2009, on behalf of Colleges of the Seneca ("CS"). CS requests extension of the special temporary authority ("STA") granted on December 2, 2008, to operate FM Translator W212BA with reduced power.¹ In support of the request, CS states that it is in the process of modifying the W212BA facilities to transmit hybrid digital IBOC signals; however, it is still waiting for a transmitter of the requisite power to become available.

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.

Our review indicates that the licensee has been prevented from restoring licensed operation due to causes beyond its control and has taken all possible steps to expeditiously resolve the problem. Thus, extension of STA is warranted.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station W212BA may continue to operate with reduced power. Continued waiver of Section 74.1251(b)(1) is granted to

¹ W212BA is licensed for operation on Channel 212D (90.3 MHz) with effective radiated power of 0.088 kilowatt (H&V) and antenna height above average terrain of 2 meters.

the extent necessary for replacement of the transmitter with a lower power model on a temporary basis. CS must notify the Commission when licensed operation is restored. CS 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 **February 4, 2010**.

Sincerely,

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

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Colleges of the Seneca