

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/

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

July 16, 2010

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

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

Dear Counsel:

This is in reference to the request filed June 17, 2010, on behalf of New York Public 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 Application BPH-20011120AAW, for operation from the ESB, remains pending.

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

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. Construction Permit BPED-20011120AAW proposes relocation of the transmitter and operation with ERP of 5.2 kilowatts and HAAT of 415 meters.

the licensee's control, and the licensee has taken all possible steps to expeditiously resolve the problem.

Our review indicates that Application BPED-20011120AAW was granted on July 12, 2010; thus, extension of STA is warranted in order to allow time for Radio to perform necessary measurements and to prepare and file an application for license.

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 **January 16, 2011**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", with a long horizontal flourish extending to the right.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: New York Public Radio