

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

**MEDIA BUREAU**  
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October 19, 2010

Margaret L. Miller, Esq.  
Dow Lohnes PLLC  
1200 New Hampshire Avenue NW, Suite 800  
Washington, DC 20036-6802

Re: WAMC  
WAMC-FM, Albany, New York  
Facility Identification Number: 70849  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed October 15, 2010, on behalf of WAMC. WAMC requests special temporary authority ("STA") to operate Station WAMC-FM with emergency antenna facilities pursuant to Section 73.1680.<sup>1</sup> In support of the request, WAMC states that the licensed antenna has been damaged extraordinary weather conditions and must be replaced. In order to maintain service during the antenna replacement work, WAMC requests STA for operation with a temporary antenna mounted at a higher elevation on the licensed tower, with reduced power. WAMC states that it plans to license the STA antenna as an auxiliary, and that it has filed an application to that effect.

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.

Accordingly, the request for STA IS HEREBY GRANTED. Station WAMC-FM may operate with the following facilities:

Geographic coordinates:	42° 38' 14" N, 73° 10' 08" W (NAD 1927)
Channel	212 (90.3 MHz)
Effective radiated power:	2.8 kilowatts (V only)
Antenna height:	
above ground:	41 meters
above mean sea level:	1089 meters
above average terrain:	621 meters

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<sup>1</sup> WAMC-FM is licensed for operation on Channel 212B (90.3 MHz) with effective radiated power of 10 kilowatts (H&V) and antenna height above average terrain of 600 meters.

WAMC must notify the Commission when licensed operation is restored. WAMC 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. The authority granted herein is without prejudice as to the Commission's action on Application BXPED-10101015AAW. Any construction undertaken pursuant to this authority is entirely at WAMC's own risk.

This authority expires on **January 19, 2011**.

**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: WAMC