

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

February 7, 2011

Malcolm G. Stevenson, Esq.
Schwartz, Woods & Miller
1233 20th Street NW, Suite 610
Washington, DC 20036-7322

Re: WNED-FM (FM), Buffalo, New York
Facility Identification Number: 27669
Western NY Public Broadcasting Association
Hybrid IBOC Digital Operation

Dear Counsel:

This is in reference to the request filed February 2, 2011, on behalf of Western NY Public Broadcasting Association ("WNPBA"). WNPBA requests authority to operate Station WNED-FM with increased digital effective radiated power ("ERP") in excess of -20 dBc¹, pursuant to the Media Bureau's *Order* adopted January 27, 2010, in MM Docket No. 99-325 ("*Order*").

Our review indicates that the notification requirements of the *Order* have been satisfied, and that the proposed operation complies with the contour nonoverlap and other technical requirements of the *Order*.

Accordingly, the request IS HEREBY GRANTED. Station WNED-FM may operate with increased digital ERP, as follows:

Analog ERP: 105 kW (H&V)
Digital ERP: 2.4 kW (H&V)

Transmitter Power Output ("TPO") shall be maintained within 90% and 105% of the following²:

Analog TPO: 21.0 kW
Digital TPO: 0.48 kW
Combined TPO: 21.5 kW

WNPBA must use whatever means are necessary to protect workers and the public from

¹ Decibels below analog carrier.

² See 47 CFR Section 73.1560(a), 73.212(a).

exposure to radio frequency radiation in excess of the Commission's exposure guidelines; *See* 47 CFR § 1.1310. It may be necessary to reduce the power of the digital signal or cease hybrid operation if interference complaints are received. This authority may be modified or cancelled by the Commission without notice or right to hearing. This authority attaches to, and runs concurrently with, the main station license. WNPBA must post a copy of this authority with the station license.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with the first name "Charles" being the most prominent part.

Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Western NY Public Broadcasting Association