

FEDERAL COMMUNICATIONS COMMISSION
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July 23, 2015

New York Public Radio
160 Varick Street
7th Floor
New York, NY 10013

Re: New York Public Radio
WNYC(AM), New York, NY
Facility Identification Number: 73357
Special Temporary Authorization

Dear Applicant:

This is in reference to the request filed July 20, 2015, on behalf of New York Public Radio ("NYPR"). NYPR requests modification of its current special temporary authority ("STA") to operate station WNYC(AM) with temporary facilities.¹ Specifically, NYPR is currently authorized (BSTA-20150617AAM) to operate non-directionally during daytime hours from any of the three towers in the array, while the other towers are being repainted. The station is authorized to operate with 25% of the licensed daytime operating power. NYPR is requesting modification of its current STA to allow for non-directional operation during nighttime hours as well. Operation would be permitted from any of the three towers in the array with 25% of the licensed nighttime operating power.

Accordingly, the request for STA IS HEREBY GRANTED and BSTA-20150617AAM IS SUPERCEDED. Station WNYC(AM) may operate non-directionally from any of the three towers in the array during daytime and nighttime hours. The daytime power must not exceed 2.5 kilowatts and the nighttime power must not exceed 250 watts. It will be necessary to further reduce power or cease operation if complaints of interference are received. NYPR must notify the Commission when licensed operation is restored.² NYPR 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.

¹ WNYC(AM) is licensed for operation on 820 kHz with a daytime power of 10 kilowatts and a nighttime power of 1 kilowatt, employing different directional antenna patterns (DA2-U).

² *See* 47 CFR § 73.45(c), 73.51, 73.61(b).

This authority expires on **September 30, 2015**.

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,



Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Marnie K. Sarver, Esq. (via email only)