## FEDERAL COMMUNICATIONS COMMISSION 445 TWELFTH STREET SW WASHINGTON DC 20554

MEDIA BUREAU AUDIO DIVISION

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November 30, 2015

Multicultural Radio Broadcasting Licenseee, LLC 27 William St. 11<sup>th</sup> Floor New York, NY 10005

Re:

Multicultural Radio Broadcasting Licenseee, LLC

WJDM(AM), Elizabeth, NJ

Facility Identification Number: 54563

Special Temporary Authority

## Dear Applicant:

This is in reference to the request filed October 28, 2015, on behalf of Multicultural Radio Broadcasting Licenseee, LLC ("Multicultural"). Multicultural requests special temporary authority ("STA") to operate station WJDM(AM) with temporary facilities from an alternate site location. Specifically, Multicultural requests STA for daytime operation at a site located 11.7 miles north-northeast of its licensed site. Multicultural has been informed by its landlord that it must vacate the transmitter site by the end of November 2015. Therefore, WJDM(AM) is requesting operation from an alternate existing tower site which will allow WJDM(AM) to continue to serve its community of license while it builds out its recently granted construction permit facility (BP-20151113AFY).

Specifically, WJDM(AM) proposes to operate non-directionally daytime only from an existing tower (ASRN: 1241949). It is proposed to operate with a power of 250 watts.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area<sup>2</sup> without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

<sup>&</sup>lt;sup>1</sup> WJDM(AM) is licensed for operation on 1530 kHz with a daytime power of 1 kilowatt, a critical hours power of 0.67 kilowatt, employing a nondirectional antenna (NDD-D). WJDM(AM) is also authorized by construction permit (BP-20151113AFY) to operate with a daytime power of 10 kilowatts employing a directional antenna pattern (DAD-D).

<sup>&</sup>lt;sup>2</sup> For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

Accordingly, the request for STA is GRANTED.

Station WJDM(AM) may operate with the following facilities:

Geographic coordinates 40° 50′ 58″ N, 74° 11′ 02″ W (NAD 1927)

Frequency 1530 KHz
Hours of operation Daytime only
Operating power 0.25 kilowatt
Antenna type Existing tower

ASRN 1241949 Top loaded apparent height 241.1°

Antenna efficiency 424.9 mV/m/kW/km

It will be necessary to further reduce power or cease operation if complaints of interference are received. WJDM(AM) must notify the Commission when licensed operation is restored. WJDM(AM) 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 May 29, 2016.

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,

erome J. Manarchuck

Audio Division Media Bureau

cc: Mark Lipp, Esq. (via email only)