

**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/](http://www.fcc.gov/mb/audio/)

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

May 1, 2007

John E. Fiorini III, Esq.  
Wiley Rein LLP  
1776 K Street NW  
Washington, DC 20006

Re: WRKS (FM), New York, New York  
Facility Identification Number: 63781  
Emmis Radio License Corporation of New York  
Special Temporary Authority  
Hybrid IBOC Digital Operation

Dear Counsel:

This is in reference to the request filed April 5, 2007, on behalf of Emmis Radio License Corporation of New York ("Emmis"). Emmis requests extension of special temporary authority ("STA") to operate Station WRKS with a hybrid digital signal,<sup>1</sup> pursuant to the *First Report and Order* in MM Docket No. 99-325 ("*Report and Order*").<sup>2</sup> Emmis proposes operation with separate analog and digital antennas, pursuant to the Public Notice issued March 17, 2004 ("*Public Notice*").<sup>3</sup> Our review indicates that the proposed operation complies with the requirements of the Public Notice.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WRKS may operate with a hybrid digital signal as defined in the *Report and Order*.<sup>4</sup> The digital signal will be transmitted via licensed auxiliary antenna BXLH-20060914AAT. The digital transmitter

---

<sup>1</sup> WRKS is licensed for analog operation on Channel 254B (98.7 MHz) with effective radiated power of 6 kilowatts (H&V) and antenna height above average terrain of 415 meters.

<sup>2</sup> *Digital Audio Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service*, MM Docket No. 99-325, *First Report and Order*, (October 11, 2002).

<sup>3</sup> *Public Notice*, "Use of Separate Antennas to Initiate Digital FM Transmissions Approved", MM Docket No. 99-325, DA 04-712 (October 17, 2004).

<sup>4</sup> See *Report and Order*, Appendix B.

power output will be 0.139 kilowatt. The analog transmitter power output will be 8.98 kilowatts. Emmis 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. Pursuant to 47 CFR Section 73.1635(b), this authority may be modified or cancelled by the Commission without notice or right to hearing. Emmis must post a copy of this authority with the station license. Any subsequent modification of the licensed analog facilities will require a modification of this authority.

This authority expires on **November 1, 2007**.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles N. Miller". The signature is fluid and cursive, with a long horizontal stroke at the end.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Emmis Radio License Corporation of New York