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

**MEDIA BUREAU / OFFICE OF BROADCAST LICENSE POLICY**  
**AUDIO DIVISION**  
**APPLICATION STATUS:** (202) 418-2730  
**HOME PAGE:** www.fcc.gov/mb/audio/

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November 18, 2003

A. Thomas Carroccio, Esq.  
Bell, Bell & Lloyd, PLLC  
1615 L Street NW, Suite 1200  
Washington, DC 20036-5610

Re: WCNJ(FM), Hazlet, New Jersey  
Facility Identification Number : 70644  
WVRM, Inc.  
Special Temporary Authorization

Dear Counsel:

This is in reference to your letter dated November 12, 2003, filed on behalf of WVRM, Inc. ("WF"), requesting a second extension of the special temporary authority ("STA") originally granted on August 7, 2002, to operate Station WCNJ with reduced power and/or antenna height.<sup>1</sup>

In support of the request, WI states that it has obtained a new transmitter site, that it has filed Application BPED-20030131AHK to specify facilities at the new site and that the application remains pending. Extension of STA is requested until a proper and legal transition to the new site can be effected.

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.

Our review indicates that the licensee has made substantial progress toward restoration of licensed operation, but has been prevented from completing the work due to causes beyond its control. Thus, extension of STA is warranted.

<sup>1</sup> WCNJ is licensed for operation on Channel 207D (89.3 MHz) with effective radiated power of 0.01 kilowatts (H&V) and antenna height above average terrain of 38 meters.

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WCNJ may continue to operate with the following facilities:

Geographic coordinates:	40° 23' 45" N, 74° 10' 30" W (NAD 1927)
Channel	207 (89.3 MHz)
Effective radiated power:	0.0035 kilowatts (H&V)
Antenna height:	
above ground:	67 meters
above mean sea level:	158 meters
Above average terrain:	134 meters

WI must notify the Commission when licensed operation is restored. WI 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 whatever action the Commission may take in connection with the ongoing enforcement matter, Reference No. EB-02-PA-211.

This authority expires on **May 18, 2004**.

Sincerely,



← Edward P. De La Hunt, Associate Chief  
Audio Division  
Office of Broadcast License Policy  
Media Bureau

cc: WVRM, Inc.

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**BELL, BOYD & LLOYD PLLC**

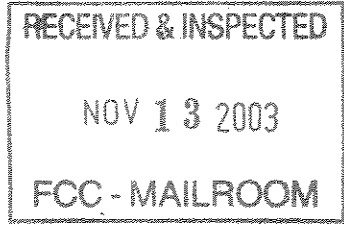
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OFFICES IN WASHINGTON, D.C.  
AND CHICAGO

November 12, 2003



Office of the Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

Re: WVRM, Inc.  
NCE-FM Station WCNJ, Hazlet, NJ *FD 70644*  
Request for Extension of Special Temporary Authority

Ladies and Gentlemen:

On behalf of WVRM, Inc. ("Licensee"), the licensee of NCE-FM Station WCNJ, Hazlet, NJ ("Station"), and pursuant to Section 73.1634 of the Commission's Rules, it is hereby requested that Licensee be granted an extension of the current Special Temporary Authority ("STA") permitting the operation of the Station at variance from the technical parameters specified in the controlling authorization. As this request, which is being submitted in triplicate, is with respect to an NCE-FM station, no fee is required in connection with its filing. Statements set forth herein with regard to technical matters are consistent with those set forth in Licensee's previous extension request, which was supported by an appropriate engineering report.

Background

Licensee presently is operating the Station's current facilities in accordance with an extended STA that permits operation at variance with the Station's controlling authorization (BPED-199605131A). This request is being filed one Commission business day after the expiration of the extended STA.

During the term of the STA, as extended, Licensee has obtained a new transmitter site. Licensee also has filed an application (FCC File No. 20030131AHK) seeking the minor modification of the controlling authorization to specify facilities at the new site. That application presently is pending before the Commission. Accordingly, Licensee hereby seeks another STA extension to allow it to continue to operate the Station using the present, non-conforming facilities until a proper and legal transition to the new site can be effectuated.

Requested Form of STA Extension

It is hereby requested that Licensee be granted another STA extension permitting continued operation of the Station utilizing the facilities presently in place at the Station's

authorized transmitter site for a period not exceeding 180 days. Grant of the requested STA extension will permit Licensee to continue to provide its unique program service until such time as new facilities can be constructed and appropriately authorized at the Station's newly acquired site.

As demonstrated in the prior requests for the STA and extension, as long as the Station operates from its present facilities at an ERP of 3.5 Watts, its 60 dbuV F(50,50) contour will extend no further from the authorized transmitter site, in any direction, than the 60 dbuV F(50,50) contour authorized by the Station's controlling authorization.

Accordingly, Licensee requests another STA extension permitting it to continue to operate the Station's current, non-conforming facilities, subject to the following specifications:

Effective Radiated Power	3.5 Watts Horizontal and Vertical
Transmitter Output Power	9.3 Watts
Height of Radiation Center	67 m AGL 158 m AMSL 134 m HAAT
Antenna	Cablewave ECFM-1

#### The Public Interest

As previously demonstrated, it is not feasible for the Station to bring its facilities into conformity with the controlling authorization. Licensee, therefore, has obtained a new transmitter site, and has filed an application seeking authority for the minor modification of its present controlling authorization.

The Station is the only broadcast outlet providing programming in the languages of India, Pakistan and Bangladesh to its service area in central New Jersey. The requested STA extension will allow Licensee to continue to provide the Station's substantial Indian, Pakistani and Bangladeshi audience with unique programming designed to meet their needs and interests, as well as the needs and interests of the Station's community of license.

It also should be noted that, to the best of Licensee's knowledge and belief, the Station commenced operation utilizing its presently configured facilities in September 1998 and, since initiating service from its present facilities, has not received any complaints or notices that its operations have caused interference to any other broadcast operations. Accordingly, it does not appear that a grant of the requested STA extension would result in interference to, or degradation of service from, any other authorized broadcast facility.

In light of the foregoing, Licensee respectfully submits that a grant of the requested STA extension would serve the public interest.

Licensee, after the pre-filing review of this request letter by its chief executive officer, has authorized undersigned counsel to certify, on behalf of Licensee, that (a) the factual statements set forth herein are true and accurate to the best of Licensee's knowledge and belief,

Federal Communications Commission

November 12, 2003


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and (b) neither Licensee nor any party to this request is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.

Questions or requests for additional information regarding this filing or its supporting attachments should be directed to the undersigned member of this firm.

Sincerely,

BELL, BOYD & LLOYD

By: 

A. Thomas Carroccio

Counsel to WVRM, Inc.