

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

November 6, 2007

Patrick A. Murck, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209

Re: WWDJ(AM), Hackensack, NJ
Facility Identification Number: 58635
Salem Media of New York, LLC
Special Temporary Authorization

Dear Counsel:

This is in reference to the request filed October 25, 2007, on behalf of Salem Media of New York, LLC ("SMNY") and accompanied by the engineering statement of Carl T. Jones, Jr., P. E. SMNY requests special temporary authority ("STA") to operate Station WWDJ pursuant to Section 73.1615.¹

In support of the request, SMNY states that it is implementing construction authorized by Construction Permit BP-20050719AHN.

Section 73.1615, which governs operation during modification of facilities, provides that AM licensees holding construction permits which involve directional facilities may discontinue operation, may operate with reduced power or with parameters at variance from licensed tolerances while maintaining monitor points within licensed limits, may operate in nondirectional mode during presently licensed hours of directional operation with power reduced to 25% of licensed directional power, may operate during daytime hours only in nondirectional mode with power reduced to 25% of construction permit directional power only as necessary to conduct nondirectional proof measurements, may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements.

Operating power shall be reduced to currently licensed levels when proof measurements are not

¹ WWDJ is licensed for operation on 970 kHz with 5 kilowatts, unlimited hours, employing different directional antenna patterns during daytime and nighttime hours. (DA-2-U). Construction Permit BP-20050719AHN authorizes an increase in daytime power to 50 kilowatts and changes to the daytime pattern.

being taken.

Accordingly, the request for STA IS HEREBY GRANTED. Station WWDJ may operate pursuant to Section 73.1615 and the terms and conditions of Construction Permit BP-20050719AHN. In particular, the following modes of operation are authorized:

1. During daytime hours, with a nondirectional antenna and power not to exceed 12.5 kilowatts, only as necessary for nondirectional proof of performance measurements.
2. During daytime hours, with the substantially adjusted daytime directional antenna system and power authorized by the permit, only as necessary for final adjustment and proof of performance measurements. Reduce power to 5 kilowatts or less during any significant period when proof of performance measurements are not being conducted.
3. With parameters at variance and/or reduced power while maintaining monitor points within licensed limits.
4. With a nondirectional antenna and nominal power not to exceed 1.25 kilowatts, only as necessary to facilitate the construction work.

It will be necessary to further reduce power or cease operation if complaints of interference are received. SMNY 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 6, 2008**.


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,

A handwritten signature in black 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: Salem Media of New York, LLC