

FEDERAL COMMUNICATIONS COMMISSION
445 TWELFTH STREET SW
WASHINGTON DC 20554

MEDIA BUREAU
AUDIO DIVISION
APPLICATION STATUS: (202) 418-2730
HOME PAGE: www.fcc.gov/media/radio/audio-division

ENGINEER: Jerome J. Manarchuck
TELEPHONE: (202) 418-7226
FACSIMILE: (202) 418-1410
E-MAIL: Jerome.Manarchuck@fcc.gov

October 2, 2017

Entercom Buffalo License, LLC
401 E. City Avenue
Suite 809
Bala Cynwyd, PA 19004

Re: Entercom Buffalo License, LLC
WBEN(AM), Buffalo, NY
Facility Identification Number: 34381
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed September 12, 2017, on behalf of Entercom Buffalo License, LLC ("EBL"). EBL requests special temporary authority ("STA") to operate station WBEN(AM) with parameters at variance from license values and/or reduced power while maintaining monitor points within license limits.¹

In support of the request, WBEN(AM) states that no change in its licensed operation is proposed. However, an STA is requested to operate the station with parameters at variance due to a temporary installation of an FM antenna on the AM station's southwest tower. Operation from the southwest tower of WBEN(AM)'s array is necessary for FM station WKSE(FM), while a replacement antenna and tower are installed for the station.

Accordingly, the request for STA IS HEREBY GRANTED. Station WBEN(AM) may operate during nighttime hours with parameters at variance while maintaining monitor points within licensed limits. It will be necessary to further reduce power or cease operation if complaints of interference are received. EBL 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 WBEN(AM) is licensed for operation on 930 kHz with a daytime and nighttime power of 5 kilowatts, employing a directional antenna pattern at night (DAN-U).

This authority expires on **March 31, 2018**.

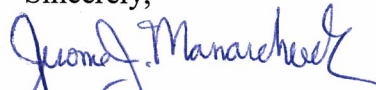
STA Advisory: Section 309(f) of the Communications Act of 1934, as amended, authorizes the Commission to grant STA in cases of "extraordinary circumstances requiring temporary authorizations in the public interest and when delay in the institution of the temporary operations would seriously prejudice 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: Carrie A. Ward, Esq. (via email only)