

**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)

December 15, 2009

Harry F. Cole, Esq.  
Fletcher, Heald & Hildreth, P.L.C.  
1300 North 17th Street, 11th Floor  
Arlington, Virginia 22209-3801

Re: WELM (AM), Elmira, New York  
Facility Identification Number: 52120  
Pembroke Pines Elmira, Ltd.  
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 3, 2009, on behalf of Pembroke Pines Elmira, Ltd. ("PPE"). PPE requests further extension of the special temporary authority ("STA") granted on March 17, 2006, to operate Station WELM with parameters at variance and/or reduced power while maintaining monitor points within licensed limits.<sup>1</sup> In support of the request, PPE states that repair work on Station WELM has been completed; however, a nearby FM station is performing authorized antenna construction which should be finished soon. PPE states that it would be prudent to wait for completion of the FM construction work before returning WELM to licensed operation.

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 progress toward restoration of licensed operation, but additional time is required for completing the work. Thus, extension of STA is warranted.

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<sup>1</sup> WELM is licensed for operation on 1410 kHz with 5 kilowatts daytime and 1 kilowatt nighttime, employing a directional antenna during nighttime hours only (DA-N-U).

Accordingly, the request for extension of STA IS HEREBY GRANTED. Station WELM may continue to operate during nighttime hours with parameters at variance and/or reduced power while maintaining monitor points within licensed limits. Operation during nighttime hours with a nondirectional antenna and reduced power not to exceed 0.25 kilowatt also is authorized, only as necessary to facilitate the repair work. It will be necessary to further reduce power or cease operation if complaints of interference are received. PPE must notify the Commission when licensed operation is restored.<sup>2</sup> PPE 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 **June 15, 2010**.

Sincerely,

A handwritten signature in blue ink, appearing to read "Charles N. Miller", written in a cursive style.

Charles N. Miller, Engineer  
Audio Division  
Media Bureau

cc: Pembroke Pines Elmira, Ltd.

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<sup>2</sup> *See* 47 CFR §§ 73.45(c), 73.51, 73.54, 73.61(b).