

FEDERAL COMMUNICATIONS COMMISSION
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February 1, 2019

Universal Broadcasting of New York, Inc.
260 East Second Street
Mineola, NY 11501

Re: Universal Broadcasting of New York, Inc.
WTHE(AM), Mineola, New York
Facility Identification Number: 68957
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed January 15, 2019, on behalf of Universal Broadcasting of New York, Inc. ("Universal"). Universal requests special temporary authority ("STA") to operate station WTHE(AM) from an alternate site location with a long-wire antenna.¹ In support of the request, Universal states the station has been silent and wants to return to broadcasting. However, due to extraordinary circumstances, the station is not able to secure a lease from the present owner of the site. Therefore, in order to resume broadcasting an alternate site location was secured.

Specifically, WTHE(AM) requests an STA to operate daytime only with a long wire emergency antenna from a site located 4.93 kilometers away from the station's licensed site. Operation is proposed with a long-wire V configuration, with each leg of the V being 156 feet in length. A power of 100 watts is proposed.

STA requests which involve a change in transmitter site must include four critical elements: (1) Loss of the licensed site must be beyond the licensee's control; (2) STA facilities must continue to provide service to the licensed community; (3) STA facilities must maintain, as closely as practicable, the licensed service area² without extending it; (4) STA facilities cannot involve the construction of towers intended for permanent use by the station requesting the STA.

Accordingly, the request for STA is GRANTED. Station WTHE(AM) may operate with the

¹ WTHE(AM) is licensed for operation on 1520 kHz with a daytime power of 1 kilowatt and a critical hours power of 0.347 kilowatt, employing a non-directional antenna pattern (NDD-D).

² For AM - 0.5 mV/m contour; for FM - 1.0 mV/m contour.

following facilities:

Geographic coordinates	40° 42' 06" N, 73° 37' 08" W (NAD 1927)
Frequency	1520 KHz
Hours of operation	Daytime only
Operating power	100 watts
Antenna type	Long-wire antenna in a V formation (312 feet)
Antenna height	25 feet above the ground

It will be necessary to further reduce power or cease operation if complaints of interference are received. WTHE(AM) must notify the Commission when licensed operation is restored. WTHE(AM) 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 **July 31, 2019**.

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 dark ink, reading "Jerome J. Manarchuck". The signature is fluid and cursive, with the first name "Jerome" and last name "Manarchuck" clearly legible.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: James A. Koerner, Esq. (via email)