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December 15, 2006

VIA HAND DELIVERY

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Emergency Request for Reinstatement and Extension of Special
Temporary Authority, File No. BEDSTA 20050623ADF,
Noncommercial Educational Television Station WNYE-DT, New
York, New York (Facility ID No. 6048/FRN: 0008351835)

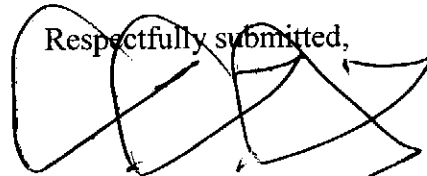
Dear Ms. Dortch:

On behalf of the Department of Information Technology and Telecommunications of the City of New York, permittee of noncommercial educational television station WNYE-DT, New York, New York, submitted herewith is an emergency request for reinstatement and extension of the Special Temporary Authorization under which Station WNYE-DT has been operating (File No. BEDSTA 20050623ADF). That STA expired on September 21, 2006, and WNYE-DT inadvertently failed to file for an extension of that STA before it expired.

Because WNYE-DT is a noncommercial educational broadcast station, no filing fee is required in connection with this request.

Ms. Marlene H. Dortch
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Please direct questions to the undersigned.

Respectfully submitted,


Tillman L. Lay
*Counsel for the Department of Information
Technology and Telecommunications of the
City of New York*

TLL:mb

Enclosure

cc: Clay Pendarvis, Esq. (Via E-Mail and Hand Delivery)
Mr. Arick Wiersen
David Berman, Esq.
Mr. Matthew Tollin
Mr. Terence O'Driscoll



December 15, 2006

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Emergency Request for Reinstatement and Extension of
Special Temporary Authority, File No. BEDSTA
20050623ADF, Noncommercial Educational Television
Station WNYE-DT, New York, New York (Facility ID No.
6048/FRN: 0008351835)

Dear Ms. Dortch:

Pursuant to Section 73.1635 of the Commission's rules, the Department of Information Technology and Telecommunications of the City of New York, permittee of noncommercial educational television station WNYE-DT, hereby respectfully requests reinstatement and extension of the Special Temporary Authority ("STA"), File No. BEDSTA 20050623ADF, granted by the FCC to operate WNYE-DT at reduced power and from a different location (Brooklyn Technical High School) than the Manhattan location specified in construction permit BEPEDT 20031003ABK. WNYE-DT has been on the air and operating pursuant to this STA. The STA, however, expired on September 21, 2006.

WNYE-DT has been diligently transitioning to full-power digital broadcast, but due to an inadvertent oversight, an extension of the STA was not filed before the September 21, 2006, expiration date. The oversight was discovered only this week, prompting the filing of this request.

Granting this request would serve the public interest. The STA facilities at Brooklyn Technical High School are the sole current transmission facilities for WNYE-DT's digital television programming and will remain so for the next several months.¹ Absent a grant, viewers of WNYE-DT's programming from the STA facilities

¹ WNYE-DT has pending before the Commission a Request for Waiver of the Replication/Maximization Deadline and Extension of Time to Complete its Full-Power DTV Buildout, FCC Docket No. 03-15 (filed July 7, 2006), as well as a Form 337 application to extend its DTV CP (File No. BEPEDT 20060707AFI), one centre street, 27th floor | new york, ny 10007 | t 212 669 7400 | f 212 669 8448 | nyc.gov/tv





Department of Information Technology and Telecommunications | The City of New York

would be deprived of that programming. Those viewers should not suffer due to a filing oversight.

Licensee therefore respectfully requests that the STA be reinstated and extended. Licensee deeply regrets that there was an oversight that led to the need for this emergency request and wishes to assure the Commission that steps will be taken to prevent such oversights in the future.

I certify that all representations made in the initial application for STA remain valid and that no party to this request, as defined in 47 C.F.R. § 1.2002(b), is subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 853(a).

Please direct inquiries and correspondence to WNYE, attention: David Berman, Esq., (212) 788-6567, and our counsel, Tillman L. Lay, at Spiegel & McDiarmid, 1333 New Hampshire Avenue, N.W., Suite 200, Washington, D.C. 20036, (202) 879-4000.

Respectfully submitted,


Arick Wierson
General Manager, WNYE

cc: Clay Pendarvis, Esq. (Via Hand Delivery)
David Berman, Esq.
Mr. Matthew Tollin
Mr. Terence O'Driscoll
Tillman L. Lay, Esq.

and does not anticipate completion of its full-power, primary DTV facilities in Manhattan until some time next year.

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