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December 15, 2009

John W. Zucker, Esq.
New York AM Radio, LLC
77 West 66th Street, 16th Floor
New York, NY 10023

Re: WEPN (AM), New York, New York
Facility Identification Number: 65636
New York AM Radio, LLC
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 7, 2009, on behalf of New York AM Radio, LLC ("NYAR"). NYAR requests further extension of the special temporary authority ("STA") granted no November 30, 2004, to operate Station WEPN with temporary facilities.[1]

In support of the request, NYAR states that a complete new main site for the station has been placed in operation; however, the old main site remains temporarily in its possession. NYAR requests further extension of its STA for operation from the old site as a precaution in the event of catastrophic failure of the new site.

Our review indicates that the licensee has relocated Station WEPN to its new site and that License BMML-20090716ADW was granted on September 10, 2009. However, we recognize that new, high-powered facilities are subject to occasional equipment failures, and that extension of the previous STA is a reasonable precaution during the "break-in" period of the new site.[2] However, in order to minimize the likelihood of interference to other stations, the STA will be modified to reflect only operation with parameters at variance, and only as may become necessary due to failure of its newly licensed site.

Accordingly, the request for extension of STA IS HEREBY GRANTED, with modification as discussed above. In the event that operation from its newly licensed site becomes impossible, Station WEPN may operate from its formerly licensed site with parameters at variance and/or reduced power while maintaining monitor points within their formerly licensed limits. It will be

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[1] WEPN is licensed for operation on 1050 kHz with 50 kilowatts, unlimited hours, employing a directional antenna (DA-1-U).

[2] Because NYAR's possession of the old site is only temporary, it is not practical to license that facility as an auxiliary antenna.