# 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/

**ENGINEER:** CHARLES N. (NORM) MILLER
**TELEPHONE:** (202) 418-2767
**FACSIMILE:** (202) 418-1410
**E-MAIL:** charles.miller@fcc.gov


July 10, 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 July 9, 1009, on behalf of New York AM Radio, LLC ("NYAR"). NYAR requests special temporary authority ("STA") to operate Station WEPN pursuant to Section 73.1615.[1] In support of the request, NYAR states that it has completed construction of modified WEPN facilities authorized by Construction Permit BP-20070403ABM. NYAR states that it has performed a Method of Moments ("MOM") proof of performance which is essentially completed and that its application for license will be filed very soon. NYAR requests STA for operation of the substantially adjusted directional antenna pattern authorized by the permit, pending the filing and processing of its application for license.

Section 73.1615, which governs operation during modification of facilities, provides, inter alia, that AM licensees holding construction permits which involve directional facilities may operate during daytime hours with the substantially adjusted daytime or nighttime directional facilities authorized by the permit and with the power authorized by the permit only as necessary to take proof of performance measurements. Operating power shall be reduced to currently licensed levels when proof measurements are not being taken.

Accordingly, the request for STA IS HEREBY GRANTED. Station WEPN may operate with its substantially adjusted daytime and nighttime directional antenna systems pending the filing and processing of an application for license supported by a MOM proof of performance pursuant to 47 C.F.R. Section 73.151(c). Operating parameters shall be maintained as specified in the request[2]. It will be necessary to reduce power or cease operation if complaints of interference are

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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). Construction Permit BP-20070403ABM authorizes relocation of the transmitter and modification of the directional antenna pattern.

[2] Operating parameters shall be maintained within ± 5% current ratios and ± 3° phase of the following:

| Tower # | Ratio | Phase |
|---|---|---|
| 1 | 1.000 | 0.0° |
| 2 | 0.480 | 99.0° |
| 3 | 0.500 | -57.6° |