



Federal Communications Commission
Washington, D.C. 20554

March 28, 2022

IHM Licenses, LLC
7136 S. Yale Ave.
Suite 501
Tulsa, OK 74136

Re:IHM Licenses, LLC
WENE(AM), Endicott, NY
Fac. ID No.: 19625
Special Temporary Authority

Dear Applicant:

This is in reference to the request filed March 25, 2022, on behalf of IHM Licenses, LLC ("IHM"). IHM requests special temporary authority ("STA") to operate station WENE(AM) with parameters at variance from its licensed facilities and/or reduced power.¹ Specifically, IHM requests that station WENE(AM) be permitted to operate during daytime hours with the station's nighttime directional antenna but with reduced power.

In support of the request, IHM states that the WENE(AM) antenna switching control system has suffered a failure and requires extensive wiring repairs. Therefore, until the necessary repairs can be made, WENE(AM) requests STA to operate during daytime hours with the nighttime directional antenna system and with power reduced to 650 watts. No changes are proposed to the licensed nighttime operation.

Accordingly, the request for STA IS HEREBY GRANTED. WENE(AM) may operate during daytime and nighttime hours using its nighttime directional antenna and with its daytime power reduced to 650 watts. It will be necessary to further reduce power or cease operation if complaints of interference are received. WENE(AM) must notify the Commission when licensed operation is restored. WENE(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 **September 24, 2022**.

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

¹ WENE(AM) is licensed for operation on 1430 kHz with a daytime and nighttime power of 5 kilowatts, employing a directional antenna pattern at night (DAN-U).

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 black ink that reads "Jerome J. Manarchuck". The signature is written in a cursive style with a large, stylized initial "J" and a long, sweeping tail.

Jerome J. Manarchuck
Audio Division
Media Bureau

cc: Troy Langham (via email only)