



United States of America  
**FEDERAL COMMUNICATIONS COMMISSION**  
**FM BROADCAST STATION CONSTRUCTION PERMIT**

Authorizing Official:

Official Mailing Address:

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PACIFICA FOUNDATION, INC.  
3729 Cahuenga Blvd. West  
Los Angeles CA 91604

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Mary Houser  
Supr Applications Examiner  
Audio Division  
Media Bureau

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Facility ID: 51249

Call Sign: WBAI

Permit File Number: BMPH-19930719JB

Grant Date:

This permit expires 3:00 a.m.  
local time, 0 months after the  
grant date specified above.

This Permit Modifies Permit No.: BPH-19910408IB

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

Commission rules which became effective on February 16, 1999, have a bearing on this construction permit. See Report & Order, Streamlining of Mass Media Applications, MM Docket No. 98-43, 13 FCC RCD 23056, Para. 77-90 (November 25, 1998); 63 Fed. Reg. 70039 (December 18, 1998). Pursuant to these rules, this construction permit will be subject to automatic forfeiture unless construction is complete and an application for license to cover is filed prior to expiration. See Section 73.3598.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of Permittee: PACIFICA FOUNDATION, INC.

Station Location: NY-NEW YORK

Frequency (MHz): 99.5

Channel: 258

Class: B

Hours of Operation: Unlimited

Transmitter: Type Accepted. See Sections 73.1660, 73.1665 and 73.1670 of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: Non-Directional

Antenna Coordinates: North Latitude: 40 deg 44 min 54 sec  
West Longitude: 73 deg 59 min 10 sec

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the Horizontal Plane (kW):	4.3	4.3
Height of radiation center above ground (Meters):	413	413
Height of radiation center above mean sea level (Meters):	429	429
Height of radiation center above average terrain (Meters):	415	415

Antenna structure registration number: Not Required

Overall height of antenna structure above ground: 443 Meters

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

None Required

## Special operating conditions or restrictions:

- 1 1. Before PROGRAM TEST AUTHORITY is authorized by the Commission permittee shall submit documentation of compliance with this special operating condition along with the Form 302, application for license, and the request for PROGRAM TEST AUTHORITY. The permittee shall, upon completion of construction and during the equipment test period, make measurements throughout the roof and top floors of the Empire State Building to determine if there are any areas that exceed the ANSI and FCC specified guidelines for human exposure to radiofrequency radiation. If necessary, access must be restricted to these areas to prevent the exposure of humans to radiofrequency radiation in excess of the American Standards Institute Guidelines (OST Bulletin No. 65, October 1985). The restricted access must preclude casual or inadvertent access, and must include warning signs at appropriate intervals which describe the nature of the hazard. Any areas found to exceed the recommended guidelines must be clearly marked with appropriate visual warning signs.

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2. BEFORE PROGRAM TESTS COMMENCE, sufficient measurements shall be made to establish that the operation authorized in this construction permit is in compliance with the spurious emissions requirements of Sections 73.317(b) through 73.317(d) of the Commission's Rules. All measurements must be made with stations WXRK, WQXR-FM, WSKQ-FM, WBAI, WHTZ, WRKS-FM, WNEW-FM, WNCN, WNSR, WLTV, and WBLT simultaneously utilizing the Electronics Research, Inc. antenna. These measurements shall be submitted to the Commission along with the Form 302 application for license.

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\*\*\* END OF AUTHORIZATION \*\*\*