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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554
NOV 07 2003

IN REPLY REFER TO:
1800B3-VFA

Amy L. Van de Kerckhove, Esquire
Shaw Pittman
2300 N Street, N.W.
Washington, D.C. 20037-1128

RECEIVED & INSPECTED
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FCC - MAILROOM

In re: WWSG(FM), Pavo, Georgia
Facility ID No. 122298
Educational Media Foundation

Assignment of Construction Permit
File No. BAPED-20030926AQD

Request for Waiver of § 73.1125
(Main Studio Rule)

Dear Ms. Van de Kercklove:

This staff has under consideration the captioned application for assignment of license of station WWSG(FM), Pavo, Georgia, from Living Proof, Inc. to Educational Media Foundation ("EMF"). EMF has requested a waiver of the Commission's main studio requirement, 47 C.F.R Section 73.1125, in order to operate WWSG(FM), Pavo, Georgia, as a satellite of its commonly owned noncommercial educational ("NCE") station KLVR(FM), Santa Rosa, California.¹ For the reason set forth below, we will waive Section 73.1125 and grant EMF's application.

Main Studio Waiver. Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's principal community of license contour, (2) within the contour of any other broadcast station licensed on its community, or (3) within 25 miles

¹ A "satellite" station meets all of the Commission's technical rules. However, it originates no programming and instead rebroadcasts the parent station's programming. See *Amendment of Multiple Ownership Rules Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

of the center of its community of license.² However, under Section 73.1125(b)(2), the Commission will waive these requirements where good cause exists to do so and where the proposed studio location would be consistent with operation of the station in the public interest. Each waiver request by an NCE station seeking to operate as the satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus found “good cause” exists to waive the main studio location requirement where satellite operations are proposed.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 “public interest” standard.⁴

EMF’s request is based on the economies of scale, which would be realized by grant of its waiver. We agree and concluded that there is “good cause” to waive 47 C.F.R. Section 73.1125(a)(4) under these circumstances.

EMF proposes to operate WWSG(FM), Pavo, Georgia, as a satellite of station KLVR(FM), Santa Rosa, California, approximately 2,260 from Pavo, Georgia. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community’s needs and interests. To that end, the staff of EMF has pledged to engage in a quarterly ascertainment of the community needs and interests of Pavo by: (1) maintaining an auxiliary studio in Pavo and/or a location within the principal community contour of an AM, FM, or TV station licensed to Pavo; (2) conducting quarterly ascertainment surveys of Pavo community leaders and; (3) having a local EMF representative, who will serve as a liaison between the residents of Pavo and EMF’s programming personnel and have an input in the station’s news and public affairs programming; (4) maintaining separate public files for WWSG(FM) within the Pavo community of license; and (5) maintaining a toll-free telephone number between Pavo, Georgia, and the KLVR(FM) main studio.

Under these circumstances, we are persuaded that EMF will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind Family, however, of the requirement that it maintain a public file for WWSG(FM) at the main studio of the “parent” station KLVR(FM). It must also make reasonable accommodation for listeners wishing to examine the file’s contents.⁵ We further remind EMF that, notwithstanding the grant of waiver requested here, the public file for WWSG(FM) must contain the quarterly issues and programs list, as required by 47 C.F.R. Section 73.3527(e)(8).

² See *Review of the Commission’s Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998); recon. *Granted in part*, 14 FCC Rcd 1113(1999)(“Reconsideration Order”)

³ *Id*

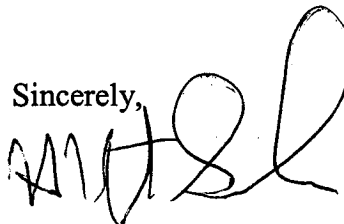
⁴ *Id*

⁵ See *Reconsideration Order*, 14 FCC Rcd at 11129

Assignment application. We have examined the application and find that it comports with all statutory and regulatory requirements, that EMF is qualified to operate WWSG(FM), and that routine approval of the application would further the public interest, convenience and necessity.

Accordingly, the application to assign the license of station WWSG(FM), Pavo, Georgia, from Living Proof, Inc. to Educational Media Foundation (File No. BAPED-20030926AQD) and the associated request for waiver of 47 C.F.R. Section 73.1125 ARE **HEREBY GRANTED.**

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Taft Snowdon', written over the word 'Sincerely,'.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau