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**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:
1800B3-ALM**

February 11, 2003

Patrick J. Vaughn, Esquire
General Counsel
American Family Association
Post Office Drawer 2440
Tupelo, Mississippi 38803

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**In re: WAWH(FM), Dublin, GA
Facility ID No. 82033**

**WBJY(FM), Americus, GA
Facility ID No. 82835**

**WASW(FM), Waycross, GA
Facility ID No. 82032**

**WAEF(FM), Cordele, GA
Facility ID No. 88121**

**Request For Waivers of The
Commission's Main Studio
Rule (Section 73.1125)**

Dear Mr. Vaughn:

The staff has under consideration American Family Association's ("AFA") August 8, 2002 request for a waivers of the Commission's main studio requirement, 47 C.F.R. § 73.1125, in order to operate the captioned stations as satellites of its commonly owned noncommercial educational ("NCE") station WAFR-FM, Tupelo, Mississippi.¹ For the reasons set forth below, we shall grant AFA's request for waivers.

Pursuant to section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community. See Report and Order, Review of the Commission's Rules regarding the main studio and

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).

local public inspection files of broadcast television and radio stations, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) (“*Reconsideration Order*”). 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 the 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. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 “public interest” standard. *Id.*

Currently, WAWH(FM), WBJY(FM), and WAEF(FM) are operated as satellite stations of WASW(FM), Waycross, Georgia. The Waycross main studio has been located at AFA’s local sponsor, the Primitive Baptist Church of Waycross. However, the Church as notified AFA that it is no longer willing to maintain public files for these stations and that it does not want to continue to provide a main studio for them. Therefore, AFA now seek to modify the waivers previously granted to WAWH(FM), WBJY(FM), and WAEF(FM) and also requests a waiver of 47 C.F.R. § 73.1125 for WASW(FM) to specify WAFR(FM), Tupelo, Mississippi as the main studio location for the four stations. AFA’s request is based on the economies of scale that would be realized by grant of these waivers.

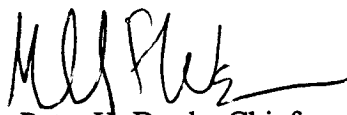
AFA proposes to operate WAWH(FM), Dublin, Georgia, WBJY(FM), Americus, Georgia, WASW(FM), Waycross, Georgia, and WAEF(FM), Cordele, Georgia, as satellite stations of WAFR-FM, Tupelo, Mississippi, approximately 300 miles from Dublin, 250 miles from Americus, 425 miles from Waycross, and 325 miles from Cordele, respectively. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community’s needs and interests. To that end, AFA has pledged to: (1) add to its Community Advisory Board at least one resident of Dublin, Americus, Waycross, and Cordele, Georgia, who will be asked to provide recommendations on community needs and programming directly to AFA management; (2) solicit listeners’ opinions regarding community issues during semi-annual “Shareathon” pledge drives and track programming responses to the input received; (3) provide periodic local programming for Dublin, Americus, Waycross, and Cordele, Georgia including coverage of significant local news and cultural events; (4) broadcast local public service announcements; and (5) maintain a toll-free telephone number between Dublin, Americus, Waycross, and Cordele, Georgia and the WAFR-FM main studio.

In these circumstances, we are persuaded that AFA will meet its local service obligations and thus, that grant of the requested waivers are consistent with the public interest. We remind AFA, however, of the requirement that it maintain a public files for WAWH(FM), WBJY(FM), WASW(FM), and WAEF(FM) at the main studio of the

“parent” station, WAFR-FM, Tupelo, Mississippi. It must also make reasonable accommodation for listeners wishing to examine the file’s contents. *See Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶45. We further remind AFA that, notwithstanding the grant of the waivers requested here, the public files for these stations must contain the quarterly issues and programs list for Dublin, Americus, Waycross, and Cordele, Georgia required by 47 C.F.R. Section 73.3527(e)(8).

Accordingly, the request of American Family Association for a waivers of 47 C.F.R. Section 73.1125 ARE HEREBY GRANTED.

Sincerely,


Peter H. Doyle, Chief
Audio Division
Media Bureau