

FEDERAL COMMUNICATIONS COMMISSION
445 12th Street, S.W.
WASHINGTON, D. C. 20554

August 21, 2002

IN REPLY REFER TO:
1800B3

Donald E. Wildmon, President
American Family Association
P.O. Drawer 2440
Tupelo, MS 38803

In re: **KCKT(FM), Crockett, AR**
Facility ID # 93122

Request for Waiver of 47 C.F.R. §73.1125
filed on March 27, 2001

Dear Mr. Vaughn:

The staff has under consideration: the March 27, 2001 letter from American Family Association, permittee of station KCKT(FM), Crockett, Texas, requesting a waiver of the Commission's main studio rule, 47 C.F.R. §73.1125, in order to operate KCKT(FM) as a "satellite" of AFA's station KAXR(FM), Conroe, Texas.¹ For the reasons set forth below, we will grant AFA's request for waiver.

Pursuant to Section 73.1125, a station's main studio must be located either (1) within a station's principal community contour; (2) within the principal community contour of any other broadcast station licensed to its community; or (3) within 25 miles of the center of its community.² However, under Section 73.1125(b)(2), the Commission will waive this requirement 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 has found that "good cause" exists to waive the

¹A "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 RR 2d 1554, 1562 (1964). AFA indicates that it did not seek waiver in its initial construction permit application because, at the time of filing, it had a local resident willing to put the proposed station's studio in his building. That building has now been sold, however, and AFA can no longer locate there. Hence, it filed the subject waiver request.

² See *Review of the Commission's Rules regarding the Main Studio and Local Public Inspection Files of Broadcast and Radio Stations, Report and Order*, 13 FCC Rcd 15691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").


main studio location requirement where satellite operations are proposed.³ In order to receive a satellite main studio waiver, an applicant must demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.⁴

AFA's request is based on the economies of scale which would be realized by grant of its waiver, *i.e.*, avoiding the cost of equipping, operating, and staffing a main studio in the Crockett, Texas area. We conclude that AFA has demonstrated "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. As noted above, AFA proposes to operate KCKT(FM) as a satellite of co-owned station KAXR(FM), Conroe, Texas. Conroe is approximately 65 miles from Crockett. Where there is a considerable distance between parent and satellite stations, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests and respond to them in its programming. To that end, AFA has stated that: (1) it will add to its Community Advisory Board at least one resident from Crockett, who will provide recommendations on community needs and programming directly to AFA management; (2) it will, during each "Shareathon" pledge drive held every six months, solicit listeners' opinions regarding community issues that should be addressed during program planning; (3) it will provide periodic local programming for Crockett, including coverage of significant local news and cultural events; and (4) it will provide for the broadcast of public service announcements pertinent to Crockett residents. Additionally, AFA pledges to maintain its public file in Crockett and to maintain a toll-free telephone line from Crockett to the KAXR(FM) studio.

In these circumstances, we are persuaded that AFA will meet its local service obligations and thus that grant of the requested waiver is consistent with the public interest. We remind AFA, however, of the requirement that it maintain a public file for KCKT(FM) at the main studio of the "parent" station, KAXR(FM), Conroe, Texas. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind AFA that, notwithstanding the grant of the waiver requested here, the public file for KCKT(FM) must contain the quarterly issues and programs list for Crockett, Texas, required by 47 C.F.R. § 73.3527(e)(8).

In accordance with these findings, and in reliance upon the representations listed above, the request of American Family Association request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization is enclosed.

Sincerely,


Peter H. Doyle, Chief
Audio Division
Media Bureau

³ *Id.*

⁴ *Id.*

⁵ See *Reconsideration Order*, 14 FCC Rcd at 11,129 ¶ 45.