

2-B450
M. Wagner

FEDERAL COMMUNICATIONS COMMISSION
445 12th STREET, S.W.
WASHINGTON, DC 20554

MAY 10 2002

In Reply Refer to:
1800B3-MFW

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Salisbury University Foundation, Inc.
P.O. Box 2596
Salisbury, MD 21802

In re: WSDL(FM), Ocean City, MD
Facility ID No. 83090
BLED-20020117AAJ
Request for Continuation of Waiver of 47
C.F.R. § 73.1125

Dear Applicant:

The staff has before it: (1) the captioned license application, filed by the Salisbury University Foundation, Inc. ("SUF"), to cover the modified facilities of station WSDL(FM), Ocean City, Maryland, authorized under construction permit no. BPED-20011004AAT; and (2) a March 8, 2002 letter requesting that a previous waiver of the Commission's main studio rule, 47 C.F.R. § 73.1125, attach to the station's current facilities.

License application. We have reviewed the WSDL(FM) license application, and we find that the station's modified facilities appear to have been built in accordance with all terms and conditions of Construction Permit No. BPED-20011004AAT. Accordingly we believe that grant of the license application would further the public interest, convenience, and necessity, and we will take that action below.


Main studio location. On November 5, 1997, the staff granted SUF's request to operate WSDL(FM) as a "satellite" of commonly owned station WSCL(FM), Salisbury, Maryland. See *Letter to Cynthia J. LaRose, Esq.*, reference 1800B3-ALM (Chief, Audio Services Division, Mass Media Bureau, November 5, 1997). In its October 4, 2001 construction permit application, SUF sought to increase WSDL(FM)'s effective radiated power from 15 to 18.5 kW. No other changes were sought. The modification application did not reference the existing satellite main studio rule waiver, and thus the BPED-20011004AAT construction permit authorization did not contain the pertinent studio rule waiver condition. SUF sought to clarify that the waiver would still attach to WSDL(FM)'s modified facilities by letter dated March 8, 2002, which contained a *de novo* justification for satellite studio waiver.

We believe that SUF has justified the continuation of the November 5, 1997 satellite waiver of Section 73.1125. Construction Permit No. BPED-20011004AAT contained no change in technical facilities save for a power increase, which would not affect the station's studio

location, and SUF reaffirmed its commitment to meeting the needs and interests of Ocean City residents, notwithstanding the absence of an Ocean City studio, in its March 8, 2002 letter.

Accordingly, in light of the above discussion, we affirm that the November 5, 1997 satellite waiver of 47 C.F.R. § 73.1125 remains in effect, and WE HEREBY GRANT the covering license application (BLED-20020117AAJ). The authorization, which is enclosed, will contain the appropriate condition.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter H. Doyle", with a long horizontal flourish extending to the right.

Peter H. Doyle, Chief
Audio Division
Office of Broadcast License Policy
Media Bureau

cc: Mr. D. Scott Turpie