

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

**NOV 17 1997**

IN REPLY REFER TO:  
180083-ALM

Margaret L. Miller, Esq.  
Dow, Lohnes & Albertson, PLLC  
1200 New Hampshire Avenue, N.W.  
Suite 800  
Washington, D. C. 20036-6802

Re: New Educational FM station in Burley, Idaho, File No. BPED-970210MC

Dear Ms. Miller:

The staff has under consideration the application of Idaho State Board of Education (Boise State University) ("State Board") to construct a new noncommercial, educational FM station in Burley, Idaho (File No. BPED-970210MC). State Board requests waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the proposed Burley facility as a satellite of commonly owned NCE station KBSX(FM), Boise, Idaho.<sup>1</sup> For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant State Board's application for a construction permit.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. Amendment of Sections 73.1125 and 73.1130, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), 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 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.

State Board's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. State Board proposes to operate the proposed Burley,

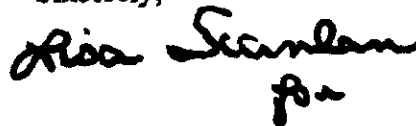
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<sup>1</sup>A "satellite" station meets all of the Commission's technical rules; however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order,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

Idaho station as a satellite of KBSX(FM), Boise, Idaho, approximately 120 miles from Burley. 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, State Board has pledged to: (1) conduct quarterly ascertainment of community needs and interests through interviews with community leaders; (2) add a resident from Burley to the existing KBSU/KBSX Community Advisory Board; (3) add news stringers to the KBSU/KBSX news department with specific reporting responsibility from Burley; (4) expand coverage of local campaigns and election to include Burley; (5) maintain a toll-free telephone number between Burley and the KBSX(FM) main studio in Boise; (6) establish the proposed station's public inspection file in Burley. In these circumstances, we are persuaded that State Board will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Idaho State Board of Education (Boise State University) for a new educational FM station in Burley, Texas (File No. BPED-970210MC) and the request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED. The authorization will be forwarded under separate cover.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Blair".

Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau