

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

**JUL 19 1999**

**In Reply Refer To:  
1800B3-MAT**

Christine J. Newcomb, Esq.  
Dow, Lohnes & Albertson, PLLC  
1200 New Hampshire Ave., N. W., Suite 800  
Washington, D. C. 20036-6802

In Re: **NEW(FM), McCall, Idaho**  
Idaho State Board of Education (Boise  
State University)  
File No. BPED-980928MA  
Facility ID No. 91742  
Request for Waiver of Main Studio Rule

Dear Counsel:

The staff has under consideration the above-captioned application filed by Idaho State Board of Education ("Idaho") for a construction permit for a new noncommercial educational ("NCE") FM station in McCall, Idaho. Idaho has requested a waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate the McCall station as a satellite<sup>1</sup> of its commonly-owned AM educational Station KBSU(AM), Boise, Idaho, which is Boise State University's ("BSU") flagship public radio station for the BSU Radio Network's Jazz Program Service. For the reasons set forth below, we will waive Section 73.1125 and grant Idaho'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 the 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 a 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

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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 RR 2d 1554, 1562 (1964).

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.*

Idaho's request is based on the economies of scale which would be realized by a 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. Idaho proposes to operate the McCall station as a satellite of KBSU(AM), Boise, Idaho, approximately 90 miles from McCall. 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, Idaho has pledged to: (1) determine McCall's local needs and respond to them in its programming; (2) maintain representation from the McCall area on the BSU Radio's Community Advisory Board; (3) establish a toll-free telephone number, which it has already done, to allow McCall area residents to call BSU's radio offices without charge; (4) conduct ascertainment of community needs on a regular basis by interviewing McCall's community leaders and (5) provide news coverage from the BSU's Twin Falls Regional Production Center (this would be in addition to current efforts in news coverage from McCall).

Under these circumstances, we are persuaded that Idaho will meet its local service obligations and thus, 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 construction permit for a new noncommercial educational FM station in McCall, Idaho (BPED-980928MA), and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization will be forwarded under separate cover.

Sincerely,



Linda Blair, Chief   
Audio Services Division  
Mass Media Bureau