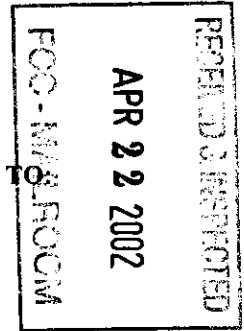


M. Wagner  
2-A523

**FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554**

April 11, 2002

IN REPLY REFER TO  
1800B3-MH



Amy L. Van de Kerckhove, Esquire  
ShawPittman  
2300 N Street, N.W.  
Washington, D.C. 20037-1128

In Re: KGBM(FM), Randsburg, California  
Educational Media Foundation  
Facility ID No. 24706  
Request for Waiver of 47 C.F.R. §73.1125  
(Main Studio Rule)

Dear Ms. Van de Kerckhove:

This staff has under consideration the above referenced January 24, 2002, request for a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125, made by Educational Media Foundation ("EMF"). EMF is the approved assignee of station KGBM(FM), Randsburg, California. *See* BALED-20020123AAI, granted on March 8, 2002. EMF seeks a waiver of Section 73.1125 in order to operate KGBM(FM) as a "satellite" of its noncommercial educational FM station KLRD(FM), Yucaipa, California.<sup>1</sup> For the reasons set forth below, we will waive Section 73.1125 and grant EMF's request.

**Main Studio Waiver.** 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 local public inspection files of broadcast television and radio stations*, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11,113 (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,

<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).

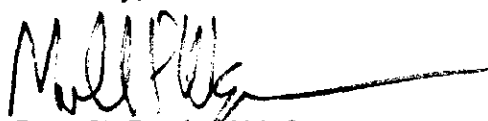
however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

EMF'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) under these circumstances. EMF proposes to operate KGBM(FM), Randsburg, California as a satellite station of KLRD(FM), Yucaipa, California, approximately 148 kilometers from Randsburg. Where there is great distance between the parent and the satellite station, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, EMF has pledged to: (1) to maintain an auxiliary studio at a location that complies with Section 73.1125 and that is capable of origination local programming that is responsive to local community needs; (2) that it will engage the services of a local Randsburg public affairs representative who will work with EMF's Regional Managers and will, at least on a quarterly basis, conduct interviews and surveys in a effort to ascertain the interests, concerns, and needs of the Randsburg listeners, which will be covered in EMF's news and public affairs programming and broadcast over the KGBM(FM); (3) that its local representative will further serve as a liaison between residents of Randsburg and EMF's programming personnel; and ; (4) to maintain a toll free telephone number for the use of the residents in the community and maintain a public inspection file for the station within the Randsburg community.

In these circumstances, we are persuaded that EMF will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind EMF, however, of the requirement that it maintain a public file for the Randsburg, California station at the main studio of the "parent" station, KLRD(FM), Yucaipa, California. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *See Reconsideration Order*, 14 FCC Rcd at 11,129, ¶45. We further remind EMF that, notwithstanding the grant of the waiver requested here, the public file for KGBM(FM) must contain the quarterly issues and programs list for Randsburg, California required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the request made by Educational Media Foundation for a waiver of 47 C.F.R. § 73.1125, IS GRANTED.

Sincerely,

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