

2-8400  
WAGNER

FEDERAL MAIL ROOM

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

**MAR 28 2001**

2001 MAR 29 P 3:02

IN REPLY REFER TO:  
**1800B3**

RECEIVED

Matthew H. McCormick, Esq.  
Reddy, Begley & McCormick  
Suite 350  
2175 K Street, N.W.  
Washington, D.C. 20037-1845

In re: **KZNX(FM), Astoria, Oregon**  
**Facility ID # 81807**  
File No. BLED-20001206ABC  
Request for Waiver of 47 C.F.R. §73.1125  
Filed on November 27, 2000

Dear Mr. McCormick:

The staff has under consideration the captioned application (File No. BLED-20001206ABC) of Columbia Heights Christian Academy ("CHCA") for license to cover the construction permit (BPED-19960509MA) for modified facilities of station KZNX(FM), Astoria, Oregon, as amended on March 20, 2001. CHCA seeks a waiver of the Commission's main studio rule, 47 C.F.R. §73.1125, in order to operate KZNX(FM) as a "satellite" of CHCA's station KZOE(FM), Longview, Washington.<sup>1</sup> For the reasons set forth below, we will grant CHCA's request for waiver and its license application.

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. *See Report and Order, Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast 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 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 main studio location requirement where satellite operations are proposed. *Id.* However, in order to receive a satellite main studio waiver, an applicant 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 RR 2d 1554, 1562 (1964).

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

CHCA'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 Astoria, Oregon area. By virtue of an amendment dated March 20, 2001, CHCA indicates that waiver is necessary, notwithstanding representations in the construction permit and license applications that the Astoria facility would comply with the main studio rules, because after the award of the permit, it determined that the cost of operating and staffing a studio in Astoria would be prohibitively expensive. Given recent technological innovations, CHCA proffers that programming can be produced at the Longview studio and delivered to the KZNX(FM) transmitter at a substantially lower cost than was possible at the time the Astoria construction permit application was filed in May of 1996; nevertheless, CHCA affirms its intention to originate programming specifically directed toward Astoria residents.

We conclude that CHCA has demonstrated "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. As noted above, CHCA proposes to operate KZNX(FM) as a satellite of co-owned station KZOE(FM), Longview, Washington. Astoria is approximately 45 miles from Longview. Where there is a considerable distance between parent and satellite stations, and where (as here) the parent and satellite stations are in different states, 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, CHCA has stated that: (1) it will establish an Advisory Committee composed of Astoria area residents, which will meet at least six times per year<sup>2</sup> with KZOE(FM)/KZNX(FM) management; (2) it will periodically air local programming for Astoria residents, including coverage of local news and cultural events, as well as Astoria weather reports and school closings. Additionally, CHCA pledges to maintain a toll-free telephone line from Astoria to the KZOE-FM studios.

In these circumstances, we are persuaded that CHCA will meet its local service obligations and thus that grant of the requested waiver is consistent with the public interest. We remind CHCA, however, of the requirement that it maintain a public file for its Astoria, Louisiana station at the main studio of the parent station, KZOE(FM) in Longview, Washington. 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 CHCA that, notwithstanding the grant of the waiver requested here, the public file for KZNX(FM) must contain the quarterly issues and programs list for Astoria, Louisiana, required by 47 C.F.R. § 73.3527(e)(8).


We have also examined CHCA's license application and find that it complies with all pertinent statutory and regulatory requirements and thus that the public interest, convenience, and necessity would be furthered by its grant. In accordance with these findings, and in reliance upon the representations listed above, the application (File No. BLED-20001120AAH) of American

---

<sup>2</sup> CHCA states that it will attempt to meet with Astoria residents on a monthly basis.

Family Association for license to cover the construction permit of station KZNX(FM), Astoria, Oregon, and its request for waiver of 47 C.F.R. § 73.1125, ARE GRANTED. The authorization is enclosed.

Sincerely,

  
Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau

Enclosure

cc: Columbia Heights Christian Academy