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Suite 400  
1220 19<sup>th</sup> Street, N.W.  
Washington, D.C. 20006

In re: **KHTA(FM), Wake Village, TX**  
**Facility ID # 87371**  
Houston Christian Broadcasters, Inc.

File No. BLED-20001003ACY  
Request for Waiver of 47 C.F.R. §73.1125

Dear Mr. Southmayd:

The staff has under consideration: (1) the captioned application of Houston Christian Broadcasters, Inc. ("HCB") for license to cover the existing authorization of Station KHTA(FM), Wake Village, Texas; and (2) a request for waiver of the Commission's main studio rule, 47 C.F.R. §73.1125, in order to operate station KHTA(FM) as a "satellite" of HCB's station KHCB(FM), Houston, Texas.<sup>1</sup> For the reasons set forth below, we will grant HCB's request for waiver and its modification 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

<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 Memorandum Opinion and Order in re Amendment of Multiple Ownership Rules, 3 RR 2d 1554, 1562 (1964). The KHTA(FM) waiver request was originally filed on June 16, 2000 as an amendment to application no. BMPED-19991022ABW, but was overlooked by the staff.

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.* In order to receive a satellite main studio waiver, an applicant must demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

HCBI'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 Wake Village, Texas area.

We conclude that HCBI has demonstrated "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. As noted above, HCBI proposes to operate KHTA(FM) as a satellite of co-owned station KHCB(FM), Houston, Texas. Wake Village is approximately 280 miles from Houston. Where there is a considerable distance between parent and satellite stations, 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, HCBI states that, while KHTA(FM) will primarily rebroadcast KHCB-FM, it will present programming to address the local problems, needs, and interests of Wake Village residents on KHTA(FM). HCBI states that, while KHTA(FM) will primarily rebroadcast KHCB-FM, it will present programming to address the local problems, needs, and interests of Wake Village residents on KHTA(FM). HCBI has stated that: (1) it will establish a Community Advisory Board composed of Wake Village residents, who will provide recommendations on community needs and programming directly to HCBI management;<sup>2</sup> and (2) it will supplement the board's ascertainment efforts by a local HCBI representative in Wake Village and through annual visits to the community by a management employee at KHCB-FM. HCBI further indicates that, apart from periodic telephone conferences between the Advisory Board, it will hold at least one open meeting each year in Wake Village for public participation in discussions regarding KHTA(FM); these meetings will be well-publicized by regular station announcements in the weeks preceding the meeting. Finally, HCBI pledges to maintain its public file in Wake Village and to maintain a toll-free telephone line from Wake Village to the KHCB(FM) studios.

In these circumstances, we are persuaded that HCBI will meet its local service obligations and thus that grant of the requested waiver is consistent with the public interest. We remind HCBI, however, of the requirement that it maintain a public file for its Wake Village, Texas station at the main studio of the "parent" station, KHCB(FM) in Houston, Texas. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *See*


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<sup>2</sup> HCBI notes that the board will meet periodically with a KHCB-FM management employee, and will hold at least one meeting each year that will be open to members of the public; HCBI represents that it will publicize these open meetings often and well in advance of their occurrence.

*Reconsideration Order*, 14 FCC Rcd at 11,129 ¶ 45. We further remind HCBI that, notwithstanding the grant of the waiver requested here, the public file for KHTA(FM) must contain the quarterly issues and programs list for Wake Village, Texas, required by 47 C.F.R. § 73.3527(e)(8).

We have also examined HCBI's modification 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-20001003ACY) of Houston Christian Broadcasters, Inc. for license to cover the construction permit of station KHTA(FM), Wake Village, Texas, 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