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

February 23, 2001

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IN REPLY REFER TO:
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Jeffrey D. Southmayd, Esq.
Southmayd & Miller
Suite 400
1220 19th Street, N.W.
Washington, D.C. 20036

In re: **KBCV(FM), Paris, TX**
Facility ID # 86791
Houston Christian Broadcasters, Inc.

File No. BLED-20010117AAR
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. ("HCBI") for license to cover the construction permit for station KBCV(FM), Paris, 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 KBCV(FM) as a "satellite" of HCBI's station KHCB-FM, Houston, Texas.¹ For the reasons set forth below, we will grant HCBI'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

¹A "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).

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 Paris, 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 KBCV(FM) as a satellite of co-owned station KHCB-FM, Houston, Texas. Paris is approximately 300 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 KBCV(FM) will primarily rebroadcast KHCB-FM, it will present programming to address the local problems, needs, and interests of Paris residents on KBCV(FM). HCBI has stated that: (1) it will establish a Community Advisory Board composed of Paris residents, who will provide recommendations on community needs and programming directly to HCBI management;² and (2) it will supplement the board's ascertainment efforts by a local HCBI representative in Paris 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 Paris for public participation in discussions regarding KBCV(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 Paris and to maintain a toll-free telephone line from Paris 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 Paris, 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 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 KBCV(FM) must

² 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.

contain the quarterly issues and programs list for Paris, Texas, required by 47 C.F.R. § 73.3527(e)(8).

We have also examined HCBI'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-20010117AAR) of Houston Christian Broadcasters, Inc. for license to cover the construction permit of station KBCV(FM), Paris, 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