

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

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November 22, 2000

**IN REPLY REFER TO:
1800B3-MH**

RECEIVED

Donald E. Wildmon, President
American Family Association, Inc.
P.O. Drawer 3206
107 Parkgate Drive
Tupelo, MS 38806

In Re: KBCX(FM), Big Spring, Texas
Facility ID No. 82866
Request for Waiver of 47 C.F.R.
§73.1125 (Main Studio Rule)

Dear Mr. Wildmon:

The staff has under consideration the above-referenced request for a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125, made by American Family Association, Inc. ("Family"). Family seeks a waiver of Section 73.1125 in order to operate KBCX(FM), Big Spring, Texas as a satellite of its noncommercial educational ("NCE") station, KAVW(FM), Amarillo, Texas.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant AFA's request.

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 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 found good cause exists to waive the main studio location requirement where satellite 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.*

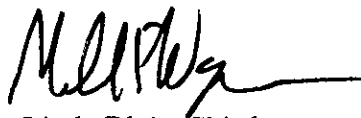
¹ A "satellite" station meets all of the Commission's technical rules. However, it originates no programming and instead rebroadcasts the parent station's programming. *See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order*, 3 RR2d 1554, 1562(1964).

Family's request is based on the economies of scale, which would be realized by grant of its waiver.² We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a)(4) under these circumstances. Family proposes to operate KBCX(FM), Big Spring, Texas as a satellite station of KAVW(FM), Amarillo, Texas, approximately 200 miles from Big Spring, Texas. Where there is a great distance between the parent and the satellite stations, 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, Family has pledged to: (1) add to its Community Advisory Board at least one resident of Big Spring, who will be asked to provide recommendations on community needs and programming directly to the management of Family; (2) conduct, on at least an annual basis, interviews with Big Spring residents and community leaders to assess community needs and programming; (3) provide periodic local programming for Big Spring including coverage of significant local news or cultural events; (4) provide for the broadcast of local public service announcements; and (5) establish a toll-free telephone number to the main studio for residents of Big Spring and maintain its public inspection file for the station within the community of Big Spring.

In these circumstances, we are persuaded that Family will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind Family, however, of the requirement that it maintain a public file for the Big Spring, Texas station at the main studio of the "parent" station, KAVW(FM) Amarillo, Texas. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *See Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶ 45. We further remind Family that, notwithstanding the grant of the waiver requested here, the public file for KBCX(FM) station must contain the quarterly issues and programs list for Big Spring, Texas required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the request of American Family Association, Inc. for a waiver of 47 C.F.R. § 73.1125 IS HEREBY GRANTED.

Sincerely,


Linda Blair, Chief
Audio Services Division
Mass Media Bureau

² In an October 16, 2000 amendment to the waiver request, Family indicates that the construction permit (BPED-19960724MF) expires on January 23, 2001. Family further stated that approval of the main studio waiver to KAVW(FM), Amarillo, Texas will replace an existing translator and that the local sponsoring church no longer has a full-time staff. Although the local sponsor will provide some locally originated programming, the NCE-FM station cannot support a full-time paid staff.