

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

February 25, 2000

IN REPLY REFER TO:

1800B3

Marsha B. Shrader, Technical Consultant
American Family Association
P.O. Drawer 3206
107 Parkgate
Tupelo, MS 38803

In re: **WAWH(FM), Dublin, GA**
Facility ID # 82033
File No. BMPED-990618IE
Request for Waiver of 47 C.F.R. §73.1125

Dear Ms. Schrader:

The staff has under consideration the captioned application (File No. BMPED-990618IE) of American Family Association ("AFA") for modification of the outstanding construction permit (BPED-960824ME) for station WAWH(FM), Dublin, Georgia. AFA seeks a waiver of the Commission's main studio rule, 47 C.F.R. §73.1125 in order to operate WAWH(FM) as a "satellite" of AFA's station WASW-FM, Waycross, Georgia.¹ For the reasons set forth below, we will grant AFA's request for waiver and its license application.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. Amendment of Sections 73.1125 and 73.1130, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), 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. 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.

AFA'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 Dublin,

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 Amendment of Multiple Ownership Rules, Memorandum Opinion and Order, 3 RR 2d 1554, 1562 (1964).

Georgia area. We conclude that AFA has demonstrated "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. As noted above, AFA proposes to operate WAWH(FM) as a satellite of co-owned station WASW-FM, Waycross, Georgia. Dublin is approximately 90 miles from Waycross. 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, AFA has stated that: (1) it will add to its Community Advisory Board at least one resident from Dublin, who will provide recommendations on community needs and programming directly to AFA management; (2) it will, at least annually, conduct interviews with Dublin residents and community leaders to assess community needs and programming; (3) it will provide periodic local programming for Dublin, including coverage of significant local news and cultural events; and (4) it will provide for the broadcast of public service announcements pertinent to Dublin residents. Additionally, AFA pledges to maintain its public file in Dublin and to maintain a toll-free telephone line from Dublin to the WASW-FM studios. In these circumstances, we are persuaded that AFA will meet its local service obligations and thus that grant of the requested waiver is consistent with the public interest.

Accordingly, in reliance upon the representations listed above, the request of American Family Association for waiver of 47 C.F.R. §73.1125, File No. BMPED-990618IE, IS GRANTED.²

Sincerely,

Linda Blair, Chief
Audio Services Division
Mass Media Bureau

² We remind AFA that the Commission has recently revised its main studio and public file rules to require that all stations, including noncommercial educational stations operating as "satellites," to maintain their public files at the specified main studio location. Accordingly, WATU-FM must keep its public file at the WAFR(FM) studio facility. It must also make reasonable accommodation for listeners wishing to examine the file's contents. Memorandum Opinion and Order in MM Docket No. 97-138, 14 FCC Rcd 11,1113 (released May 28, 1999), 64 Fed. Reg. 35,941 (July 2, 1999).