

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

'APR 09 1999

IN REPLY REFER TO:
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RECEIVED BY
Mark Van Bergh, Esquire
Arter & Hadden LLP
1801 K Street, N.W., Suite 400K
Washington, D. C. 20006-1301

In Re: WGVS-FM, Whitehall, Michigan
Grand Valley State University
Assignment of License
File No. BALH-981231GM
ID Facility No. 33696

Dear Mr. Van Bergh:

The staff has under consideration the above-captioned application, as amended,¹ filed by KBZ Broadcasting, Inc. to assign the license of WGVS-FM,² Whitehall, Michigan to Grand Valley State University ("GVSU"). GVSU has requested a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate WGVS-FM as a satellite of its NCE station WGVSU-FM, Allendale, Michigan.³ For the reasons set forth below, we will waive 47 C.F.R § 73.1125 and grant the assignment 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 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

¹ Amendments were filed on February 3, 1999 and April 1, 1999.

² Formerly WKBZ-FM.

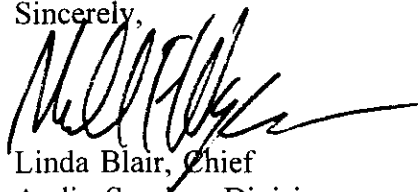
³A "satellite" station meets all of the Commission's technical rules, however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order, 3 RR2d 1554, 1562 (1964).

its local service obligation to satisfy the Section 73.1125 "public interest" standard. Id.

GVSU's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. GVSU proposes to operate the WGVS-FM, Whitehall, Michigan as a satellite of WGVU-FM, Allendale, Michigan, approximately 30 miles from Whitehall. The Commission expects the licensee of a satellite station to take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, GVSU has pledged to: (1) ascertain the interests of importance to Whitehall and provide programming to address those issues; (2) retain a news stringer to cover news stories and issues of importance to Whitehall; (3) subscribe to the *Muskegon Chronicle*, a daily newspaper which serves Whitehall, and the *White Lake Beacon*, a weekly newspaper published in Whitehall; (4) maintain a toll-free telephone number from Whitehall to the WGVU-FM main studio; and (5) maintain the WGVS-FM public inspection file in Whitehall. In these circumstances, we are persuaded that GVSU will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, having found that the application filed by KBZ Broadcasting, Inc. (File No. BALH-981231GM) to assign the license of WGVS-FM to GVSU would serve the public interest, convenience and necessity and that Grand Valley State University is qualified to acquire the station, the assignment application IS HEREBY GRANTED. Finally, Grand Valley State University's request for waiver of 47 C.F.R. § 73.1125 IS GRANTED.

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Blair", with a long horizontal flourish extending to the right.

Linda Blair, Chief
Audio Services Division
Mass Media Bureau