

FCC MAIL SECTION  
**FEDERAL COMMUNICATIONS COMMISSION**  
**WASHINGTON, D. C. 20554**

FEB 5 1999

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

Mr. Walt S. Gradzki, Chief Engineer  
Mercer County Community College  
1200 Old Trenton Road  
Trenton, New Jersey 98690

Re: New FM Service in Tafton, Pennsylvania, BPED-941213MD

Dear Mr. Gradzki:

The staff has under consideration the application of Mercer County Community College ("MCCC") for a construction permit for new noncommercial educational ("NCE") FM station in Tafton, Pennsylvania (File No. BPED-941213MD). MCCC has requested a waiver of the Commission's main studio requirement, *See* 47 C.F.R. § 73.1125, in order to operate the proposed Tafton, Pennsylvania station as a satellite of its NCE station WWFM(FM), Trenton, New Jersey.<sup>1</sup> For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant MCCC's application for a construction permit.

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

MCCC'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. MCCC proposes to operate the proposed Tafton, Pennsylvania station as a satellite of WWFM(FM) Trenton, New Jersey, approximately 60 miles from Tafton. Where there is a great distance between parent and satellite stations, as


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<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* Amendment of Multiple Ownership Rules, *Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, MCCC has pledged to: (1) ascertain the needs and interests of the Tafton area from responses to its Listener Survey sent monthly with its program guide to station members; (2) place a notice in a local newspaper to solicit input on issues of concern to Tafton; (3) appoint at least two residents of the Tafton area to its Community Advisory Commission; (4) have station personnel available on a daily basis to meet by appointment in Tafton area with residents; (5) maintain a toll-free telephone number between Tafton and the WWFM(FM) studio in Trenton; and (6) maintain the proposed station's public inspection file in Tafton. In these circumstances, we are persuaded that MCCC will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Mercer County Community College for a construction permit for a new noncommercial, educational FM station, BPED-941213MD, in Tafton, Pennsylvania and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED.

Sincerely,



Linda Blair, Chief *for*  
Audio Services Division  
Mass Media Bureau