

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

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IN REPLY REFER TO:
1800B3-ALM

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Mr. William A. Wittik
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In Re: NEW, Woodstock, Vermont
Christian Ministries, Inc.
File No. BPED-960730MB

NEW, Wallingford, Vermont
Green Mountain Educational
Fellowship, Inc.
File No. BPED-970417MK

Gentlemen:

The Commission currently has before it: (i) the above captioned mutually exclusive applications for new noncommercial, educational FM stations in Woodstock and Wallingford, Vermont filed by Christian Ministries, Inc. ("Ministries") and Green Mountain Educational Fellowship ("Fellowship"); (ii) a November 14, 1997 Joint Request for Approval of Agreement ("Joint Request"); and (iii) a request for a waiver of 47 C.F.R. § 73.1125, the Commission's main studio rule, filed by Ministries.

Joint Request: We have examined the agreement and the attached affidavits and find that the applicants have complied with the provisions of 47 U.S.C. § 311(c)(3) and 47 C.F.R. § 73.3525. Pursuant to the terms of the Joint Request, in exchange for the dismissal of Fellowship's application, Ministries has agreed to reimburse Fellowship for its adequately demonstrated legitimate and prudent expenses of \$2,000.

Section 307(b) Issue: The Commission is charged with the responsibility "to provide a fair, efficient and equitable distribution of radio service...." 47 U.S.C. § 307(b). Examination of the proposals of Ministries and Fellowship reveals that neither Woodstock nor Wallingford have a local noncommercial, educational radio station and that Woodstock is a larger community than Wallingford and is more economically active and diverse. Therefore, Woodstock has a greater presumptive need of the first noncommercial educational

broadcasting service. Accordingly, we will not require republication pursuant to 47 C.F.R. § 73.3523(b)(1)(2). *See Christian Family Cinema, Inc.*, 7 FCC Rcd 3304 (1992). Finally, we find that Ministries is fully qualified and that a grant of its application would serve the public interest by expediting a new FM service to Woodstock, Vermont.

Main Studio Waiver: Ministries requests a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the proposed Woodstock facility as a satellite of commonly-owned noncommercial education ("NCE") station WCMK(FM), Bolton, Vermont.¹ For the reasons set forth below, we will waive 47 C.F.R § 73.1125.

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

Ministries' 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. Ministries proposes to operate the proposed Woodstock station as a satellite of WCMK(FM), Bolton, Vermont, approximately 55 miles from Woodstock. Where there is a great distance between parent and satellite stations, as 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, Ministries has pledged to: (1) conduct, on an ongoing basis, an ascertainment of the problems, needs and interests of the Woodstock area by the station's principals; (2) broadcasting responsive public affairs and educational programming which treats the problems, needs and interests of Woodstock; (3) have station principals attend local community meetings and consult with local business, civic and religious leaders; (4) form a Media Board, under the aegis of its Board of Directors, composed of members of Ministries Board of Directors and representatives of the communities served by its Bolton, Barre, St. Johnsbury, and Woodstock, Vermont stations which will evaluate, critique, and determine how to improve the educational and public affairs programming which is broadcast; (5) hold an annual meeting of the Media Board in Woodstock; (6) utilize volunteer newsgathers to report on news items affecting Woodstock to the Ministries news staff and for inclusion in the news programming broadcast

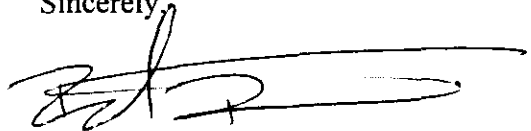
¹ A "satellite" station meets all of the Commission's technical rules, however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order, 3 RR2d, 1554, 1562 (1964).

on WCMK(FM); (7) have members of Ministries Board of Directors and management level employees periodically visit Woodstock; and (8) maintain a toll-free telephone number between Woodstock and the WCMK(FM) main studio in Bolton.

In granting a waiver of 47 C.F.R. § 73.1125(a), the Commission has required the licensee of a satellite station to maintain the satellite station's public inspection file in the community of license and in adopting modifications to its main studio and public inspection file rules, the Commission stated that it was not altering its standards or practices with respect to noncommercial educational stations proposing satellite operations. *See Report and Order* in MM Docket No. 97-131, 13 FCC Rcd 15691, 15695, n. 18 (1998). Accordingly, we shall expect Ministries to maintain the public inspection file of the proposed station in Woodstock. In these circumstances, we are persuaded that Ministries will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the Joint Request For Approval of Agreement IS GRANTED. Additionally, the application of Green Mountain Educational Fellowship, Inc. (File No. BPED-970417MK) IS DISMISSED and the application of Christian Ministries, Inc. (File No. BPED-960730MB) and its request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,

A handwritten signature in dark ink, appearing to be 'L. Blair', written over a horizontal line.

for Linda Blair, Chief
Audio Services Division
Mass Media Bureau