

FCC MAIL SECTION
FEDERAL COMMUNICATIONS COMMISSION

SEP 10 9 03 AM '98
WASHINGTON, D. C. 20554

DISPATCHED **AUG 28 1998**

IN REPLY REFER TO:
1800B3-ALM

Jeffrey D. Southmayd, Esquire
Southmayd & Miller
1220 19th Street, N.W.
Suite 400
Washington, D. C. 20036

Re: New Educational FM station in Mitchell, Indiana, BPED-961108MA

Dear Mr. Southmayd:

The staff has under consideration the application of Moody Bible Institute of Chicago ("Moody"). Moody requests waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate the proposed Mitchell facility as a satellite of commonly owned NCE station WGNR-FM, Anderson, Indiana.¹ For the reasons set forth below, we will waive 47 C.F.R § 73.1125 and grant Moody'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 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.*

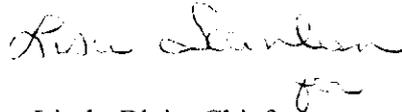
Moody's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. Moody proposes to operate the proposed Mitchell, Indiana station as a satellite of WGNR-FM, Anderson, Indiana, approximately 130 miles from Mitchell. 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

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).

the satellite community's needs and interests. To that end, Moody has pledged to: (1) ascertain the needs and interests of the local community through a local citizens advisory board to be formed once the station is in operation and consisting of residents of Mitchell; (2) develop programming to address the results of its ascertainment efforts; (3) supplement its ascertainment efforts by a local Moody representative in Mitchell and through annual visits to the community by a management employee at WGNR-FM; (4) open at least one meeting each year of the citizens advisory board to members of the public to attend and participate in the discussions; (5) periodically broadcast public affairs programming on WGNR-FM and the Mitchell station which is responsive to local issues of public concern; (6) insert news segments regarding events in Mitchell in the broadcasts of WGNR-FM; (7) maintain a toll free telephone number between Mitchell and the WGNR-FM main studio in Anderson, Indiana; and (8) establish the station's public inspection file in Mitchell. In these circumstances, we are persuaded that Moody will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Moody Bible Institute of Chicago for a new educational FM station in Mitchell, Indiana (File No. BPED-961108MA) and the request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Blair".

Linda Blair, Chief
Audio Services Division
Mass Media Bureau