

FEDERAL COMMUNICATIONS COMMISSION

SEP 2 9 52 AM '98 WASHINGTON, D. C. 20554

DISPATCHED BY

AUG 28 1998

IN REPLY REFER TO:
1800B3-ALM

Lewis J. Paper, Esquire
Dickstein Shapiro Morin & Oshinsky LLP
2101 L Street, NW
Washington, DC 20037-1526

Re: KCRI(FM), Mojave, California, BPED-980318IB

Dear Mr. Paper:

The staff has under consideration the application of Santa Monica Community College District ("SMCCD") to modify the facilities of noncommercial, educational FM station KCRI(FM) in Mojave, California (File No. BPED-980318IB). SMCCD application also requests a waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate KCRI(FM) as a satellite of commonly owned NCE station KCRW-FM, Santa Monica, California.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant SMCCD'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.*

SMCCD'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. SMCCD proposes to operate the KCRI(FM), Mojave, California facility as a satellite station of KCRW-FM, Santa Monica, California, approximately 60 miles from Mojave. Where there is a great distance between parent and

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 RR2d 1554, 1562 (1964).

satellite station, 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, SMCCD has pledged to: (1) conduct a formal ascertainment process each year to ensure that SMCCD is apprised of the needs of the Mojave community; (2) establish the capability to originate programming within Mojave; (3) employ a news stringer in Mojave to keep advised of events and issues in that community; (4) subscribe to periodicals published in the Mojave area; (5) use its daily program "Which Way LA" to air program material of particular interest to the Mojave community; (6) maintain a toll-free telephone number between Mojave and the KCRI(FM) main studio in Santa Monica; and (7) locate the KCRI(FM) public inspection file in Mojave. In these circumstances, we are persuaded that SMCCD will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Santa Monica Community College District to modify the facilities of KCRI(FM), Mojave, California and the request for a waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,

Linda Blair, Chief
Audio Services Division
Mass Media Bureau