

FEDERAL COMMUNICATIONS COMMISSION

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IN REPLY REFER TO:
1800B3-ALM

Harry C. Martin, Esquire
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209-3801

Re: KCRL(FM), Sunrise Beach, MO, Request for Waiver of 47 C.F.R. § 73.1125(a)

Dear Mr. Martin:

The staff has under consideration the application of Community Broadcasting, Inc. ("Community") for a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate KCRL(FM) as a satellite of commonly owned NCE station KSIV-FM, St. Louis, Missouri.¹ For the reasons set forth below, we will grant Community's request for a waiver of 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.


Community'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. Community proposes to operate KCRL(FM), Sunrise Beach, Missouri as a satellite of KSIV-FM, St. Louis, Missouri, approximately 150 miles from Sunrise Beach. 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, Community has

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).

pledged to: (1) establish an auxiliary mini-studio at its transmitter site, which will have the minimum facilities needed to produce and broadcast local programs; (2) hire a local station representative who will work in the community to ascertain ideas for and produce local issue-oriented programming; (3) conduct a visit to the Sunrise Beach area, at least once a month, by members of Community's board of directors to assist in the ascertainment efforts; (4) maintain a toll-free telephone number between Sunrise Beach and the KCRL(FM) main studio in St. Louis; and (5) continue to maintain a local public inspection file in Sunrise Beach. In these circumstances, we are persuaded that Community will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the request for waiver of 47 C.F.R. § 73.1125 to operate KCRL(FM) Sunrise Beach, Missouri as a satellite of KSIV-FM, St. Louis, Missouri IS HEREBY GRANTED.

Sincerely,


Linda Blair, Chief
Audio Services Division
Mass Media Bureau