

FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

FEB 3 3 54 PM '98

JAN 30 1998

IN REPLY REFER TO:  
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DISPATCHED

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Washington, D. C. 20006-1851

In re: KLVS(FM), Grass Valley, California  
Educational Media Foundation  
BMLED-971015KF

Dear Mr. Fisher:

This is in response to the above-referenced application filed by Educational Media Foundation ("EMF") to modify the license of FM radio station KLVS, Grass Valley, California from commercial to noncommercial, educational. The application also requests a waiver of the Commission's main studio rule, Section 73.1125(a) to permit KLVS to operate as a satellite of commonly owned noncommercial, educational FM radio station KLVR, Santa Rosa, California.<sup>1</sup> For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant EMF's application to modify its license.

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.

EMF'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.

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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).

§ 73.1125(a)(4) in these circumstances. EMF proposes to operate the Grass Valley station as a satellite of KLVR(FM), Santa Rosa, California, approximately 110 miles from Grass Valley. 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, EMF has pledged to: (1) engage the services of a local Grass Valley public affairs representative to conduct regular ascertainment surveys of local community leaders and other residents to determine the concerns, problems and needs of Grass Valley listeners and to develop news and public affairs programming in response to these surveys; (2) the local public affairs representative will serve as a liaison between the residents of Grass Valley and EMF's programming personnel; (3) maintain an auxiliary studio within KLVS' city grade contour capable of originating local programming for Grass Valley (4) maintain a toll-free telephone number between Grass Valley and the KLVR main studio in Santa Rosa; and (5) maintain KLVS' public inspection file in Grass Valley. In these circumstances, we are persuaded that EMF will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Furthermore, EMF has previously demonstrated to the Commission its qualifications to be the licensee of a noncommercial, educational broadcasting station. Thus, we will grant its request to license KLVS as an educational FM radio station.

Accordingly, the application of Educational Media Foundation (BMLED- 971015KF) to license KLVS(FM) as a noncommercial, educational FM station and to waive 47 C.F.R. § 73.1125 IS GRANTED. The authorization will be forwarded under separate cover.

Sincerely,

A handwritten signature in black ink that reads "Linda Blair" with a stylized flourish at the end.

Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau