

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

**AUDIO SERVICES
DIVISION**

JAN 27 1998

7300 MAIL SECTION
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IN REPLY REFER TO:
1800B3-ALM
CIS/SP/AT/MT

Mr. Brad Ferguson, General Manager
KCSC(FM)
University of Central Oklahoma
100 North University Drive
Edmond, Oklahoma 73034-5209

Re: New FM Service in McAlester, Oklahoma, File No. BPED-940415MY

Dear Mr. Ferguson:

The staff has under consideration the application of the University of Central Oklahoma ("University") to construct a new noncommercial, educational FM station in McAlester, Oklahoma (File No. BPED-940415MY). University requests waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the proposed McAlester facility as a satellite of commonly owned NCE station KCSC(FM), Edmond, Oklahoma.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant University'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.

University'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. University proposes to operate the proposed McAlester station as a satellite of KCSC(FM), Edmond, Oklahoma, approximately 100 miles from Edmond. Where there is a great distance between parent and satellite stations, as here,


¹A "satellite" 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).

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, University has pledged to: (1) ascertain the needs and interests of McAlester, Oklahoma through the election of Ms. Wanda Bass, Vice Chairman of the First National Bank of McAlester to serve on the KCSC community advisory board; (2) establishment of a five-member McAlester citizens' advisory panel charged with keeping KCSC abreast of McAlester concerns; and (3) the ability to offer discrete programming for McAlester as the need arises. We also remind University that it must establish a toll-free telephone line between McAlester and the new station's main studio in Edmond, as is required by 47 C.F.R. § 73.1125(c), and that it must maintain a public file for the new station in McAlester, as required by 47 C.F.R. § 73.3527(d). In these circumstances, we are persuaded that University will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of the University of Central Oklahoma for a new educational FM station in McAlester, Oklahoma (File No. BPED-940415MY) and the request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED. The authorization will be forwarded under separate cover.

Sincerely,



Linda Blair, Chief 
Audio Services Division
Mass Media Bureau