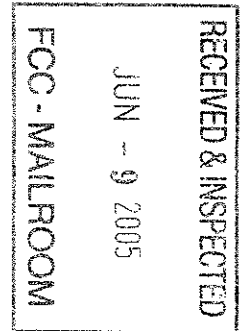


**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

JUN 06 2005

In Reply Refer To:
1800B3-MAT



Jeffrey D. Southmayd, Esq.
Southmayd & Miller
1220 19th Street, NW
Suite 400
Washington, D. C. 20036

In Re: NEW(FM), Madisonville, TX
Houston Christian Broadcasters, Inc.
File No. BPED-19960830ME
Facility ID No. 83276

Dear Counsel:

The staff has under consideration the above-captioned application filed by Houston Christian Broadcasters, Inc. ("Houston") for a construction permit for a new noncommercial educational ("NCE") FM station in Madisonville, Texas. Houston has requested a waiver of the main studio requirement, 47 C.F.R. Section 73.1125, in order to operate the Madisonville, Texas station as a satellite¹ of its commonly-owned NCE station KHCB-FM, Houston, Texas. For the reasons set forth below, we will waive Section 73.1125.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license; (2) within the principal community contour of any other broadcast station licensed to its community; or (3) within 25 miles of the center of the community of license.² However, under Section 73.1125(b)(2), 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 a 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.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.⁴

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*, 3 RR 2d 1554, 1562 (1964).

² See *Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998), recon. granted in part, 14 FCC Rcd 11113 (1999) ("Main Studio Reconsideration Order").

³ *Id.*

⁴ *Id.*

Houston's request is based on the economies of scale which would be realized by a grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) in these circumstances. Houston proposes to operate the Madisonville, Texas station as a satellite of KHCB-FM, Houston, Texas, approximately 88 miles from Madisonville, Texas. Where there is a considerable distance between parent and satellite stations as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, Houston has pledged to meet its local service obligations by: (1) ascertaining (by a local Houston representative in Madisonville and through periodic visits to the community by Houston's management employees at KHCB-FM) the problems, needs and interests of the local community and addressing these through its programming on the Madisonville station; (2) maintaining a toll-free telephone number for the use of residents in Madisonville to reach the KHCB-FM studios and maintaining a public inspection file for the station at a location in Madisonville; (3) establishing a citizens advisory board made up of residents of the community of Madisonville, which will meet periodically with management representatives of KHCB-FM to discuss the local issues of public concern facing the community and will be open to members of the public to attend and participate in the discussions; (4) including news insertions in its local broadcasts on KHCB-FM to include segments regarding events in Madisonville and (5) periodically broadcasting public affairs programming responsive to the local issues of public concern ascertained by Houston in connection with its local information gathering efforts.

Under these circumstances, we are persuaded that Houston will meet its local service obligations and thus, grant of the requested waiver is consistent with the public interest. We remind Houston that, notwithstanding its commitment to maintain a public inspection file in Madisonville, it must also maintain a public file for the Madisonville station at the main studio of the parent station, KHCB-FM, Houston, Texas. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind Houston that, notwithstanding the grant of the waiver requested here, the public file for the station must contain the quarterly issues and programs list, as required by 47 C.F.R. Section 73.3527(e)(8).

Accordingly, the application of Houston Christian Broadcasters, Inc. for a construction permit for a new noncommercial educational FM station in Madisonville, Texas (File No. BPED-19960830ME) and its request for waiver of 47 C.F.R. Section 73.1125 ARE GRANTED.

Sincerely,



Peter H. Doyle, Chief
Audio Division
Media Bureau

⁵ See Main Studio Reconsideration Order, 14 FCC Rcd at 11129.