

FOC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

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IN REPLY REFER TO:
1800B3-ALM

Reverend Donald Wildmon
American Family Association
Post Office Drawer 3206
107 Parkgate
Tupelo, Mississippi 38803

Re: KAKA(FM), Salina, Kansas, BMPED-970108IE

Dear Reverend Wildmon:

The staff has under consideration the application of American Family Association ("AFA") to modify the facilities of noncommercial educational ("NCE") FM station KAKA(FM) at Salina, Kansas (BMPED-970108IE). AMA's application requests a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate KAKA(FM) as a satellite of its NCE station KBUZ(FM), Topeka, Kansas.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant AFA's application to modify the facilities of KAKA(FM), Salina, Kansas.

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.

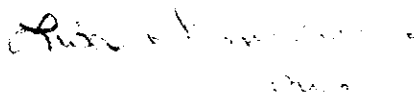
AFA's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. AFA proposes to operate the Salina station as a satellite of KBUZ(FM), Topeka, Kansas, approximately 100 miles from Salina. Where there

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).

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, AFA has pledged to: (1) add to its Community Advisory Board at least one resident of Salina who will be asked to provide recommendations on community needs and programming directly to the management of AFA; (2) conduct interviews, at least annually, with residents and community leaders to assess needs and programming; (3) provide periodic local programming for Salina, including coverage of significant local news or cultural events; (4) provide for the broadcast of local public service announcements; (5) maintain a public inspection file in Salina; and (6) maintain a toll-free telephone number between Salina and the proposed station's main studio in Topeka, Kansas. In these circumstances, we are persuaded that AFA will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of American Family Association for a construction permit to modify the facilities of KAKA(FM), Salina, Kansas (BMPED-970108IE) and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization will be forwarded under separate cover.

Sincerely,



Linda Blair, Chief
Audio Services Division
Mass Media Bureau