

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

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IN REPLY REFER TO:
1800B3-ALM

DIRECTOR

Wayne Coy, Jr. Esq.
Cohn and Marks
1333 New Hampshire Ave., N.W.
Suite 600
Washington, D. C. 20036-1573

In re: NEW, Warsaw, Illinois
Western Illinois
University
File No. BPED-940222MC

Dear Mr. Coy:

This refers to the above-captioned application filed by Western Illinois University ("University") for a construction permit for a new noncommercial, educational FM in Warsaw, Illinois. The application includes a request for waiver of 47 C.F.R. § 73.1125 (the Commission's main studio rule) to allow University to operate Warsaw facility as a satellite station of commonly owned station WIUM-FM, Macomb, Illinois.¹ University's request for waiver is based on its need to operate as a regional network from the Macomb main studio pending development of a financial base in the "Tri-State" regions of west-central Illinois, southeast Iowa and northeast Missouri.

In order to ensure that local issues in Warsaw will be met, University has agreed to undertake the following:

1. The WIUM-FM station Advisory Friends Board has elected a member from the community of Warsaw. Board members are responsible for increasing awareness of public radio services and, more importantly, for augmenting station staff efforts to serve the community by regularly reporting community issues, concerns and needs back to station staff.
2. WIUM-FM already includes Warsaw city officials in its surveys to ascertain the needs of the communities it serves. Once Warsaw become the city of license for WIUM's satellite station, the station will redouble its efforts to ascertain the community's concerns and interests in order to provide programming to

¹An amendment to University's request for waiver of 47 C.F.R. § 73.1125 was filed on August 4, 1994.

specifically target the needs of the citizens of Warsaw and the surrounding area. Station staff will make regular trips to Warsaw to speak face-to-face with community leaders, clubs and organizations. Community leaders from Warsaw will be included in the WIUM special affairs programming.

3. WIUM-FM subscribes to the local weekly newspaper *The Mississippi Eagle News*, and the paper is read each Saturday evening from 6:30 to 7:00 p.m. on the subcarrier radio reading service for the print disabled. WIUM has budgeted for an additional news stringer who will regularly produce programming of particular interest to Warsaw.

4. University will establish a toll-free telephone number from Warsaw to the station's main studio in Macomb, Illinois.

A "satellite station has been defined by the Commission as one "operating on a channel specified in the Table of Assignments and meeting all of the technical requirements of our rules, but one which usually originates no local programming It rebroadcasts the programming of the parent station." Multiple Ownership Rules, 3 RR 2d 1554, 1562 (1964). Satellite stations involve deviations from such Commission regulations as station main studio locations 47 C.F.R. § 73.1125.

The Commission has stated that "we have recognized the benefits of centralized operations for noncommercial educational stations, given the limited funding available to these stations, and we have granted waivers to state and regional public television and radio networks to operate 'satellite' stations that do not necessarily meet the requirements of a main studio. These stations, however, have not been permitted to ignore local service obligations, and waivers generally have been granted only upon a showing that the local community would be served." Memorandum Opinion and Order in MM Docket No. 86-406, 3 FCC Rcd 5024 (1988). Thus, local needs should be met by this applicant.

We have determined that University has established that its centrally programmed simultaneous schedule will serve the problems, needs and interests of Warsaw, Illinois. Accordingly, 47 C.F.R. § 73.1125(a)(4) IS HEREBY WAIVED to the extent

indicated herein. Lastly, University's application to construct a new, noncommercial FM station in Warsaw, being in all respects acceptable, IS HEREBY GRANTED. The construction permit authorization will follow under separate cover.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dennis Williams".

Dennis Williams *for*
Chief, FM Branch
Audio Services Division
Mass Media Bureau