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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

JUL 10 1995

IN REPLY REFER TO:
1800B3-ALM

Richard A. Helmick, Esq.
Cohn and Marks
1333 New Hampshire Avenue, N.W.
Suite 600
Washington, D. C. 20036-1573

In re: NEW, San Angelo, Texas
The University of Texas
at Austin
File No. BPED-940311MA

Dear Mr. Helmick:

This is in reference to the application filed by The University of Texas at Austin ("University") for a new noncommercial, educational FM station in San Angelo, Texas. University seeks a waiver of 47 C.F.R § 73.1125(a)(4) to operate its proposed facility as a satellite station of commonly owned station KUT, Austin, Texas.¹ A grant of the waiver will permit University to economically provide public radio service to San Angelo.

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

1. Conduct periodic (at least annually) consultations (either by mail, telephone or, as needed, in person) with identified community leaders representing the following elements or institutions: agriculture; business; charity; civic and fraternal; consumer services; culture; education; environment; government (local, county, state and federal); labor; military; minority and ethnic; elderly; women; youth; professions; public safety; health and welfare; recreation; and religion.
2. Incorporate ascertainment information obtained from San Angelo in researching and producing *Access*, a weekly call-in program that addresses public issues.
3. Subscribe to the San Angelo *Standard Times*, the only local daily newspaper published in San Angelo.

¹An amendment to University's request for waiver was filed on November 14, 1994.

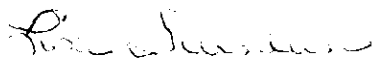
4. Maintain a toll free telephone number between San Angelo and the station's main studio in Austin, Texas.

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. See 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 San Angelo, Texas. Accordingly, 47 C.F.R. § 73.1125(a)(4) IS HEREBY WAIVED to the extent indicated above. Furthermore, the application filed by The University of Texas at Austin, being in all respects acceptable, IS HEREBY GRANTED.

Sincerely,



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