

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

SEP 29 1995

IN REPLY REFER TO:
1800B3-ALM

Robert L. Olender, Esq.
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5335 Wisconsin Avenue, N.W., Suite 300
Washington, D. C. 20015-2003

In re: WFPB(FM), Falmouth, MA
University of Massachu-
setts
File No. BMPED-950713IG

Dear Mr. Olender:

This is in reference to the above-captioned application filed by the University of Massachusetts ("University") to modify the facilities of its construction permit (BPED-930114MC) which authorized the construction of new educational FM station WFPB(FM), Falmouth, Massachusetts. Specifically, the modification application requests a waiver of 47 C.F.R. § 73.1125 (the Commission's main studio rule) to allow University to operate the Falmouth facility as a satellite station of commonly owned station WUMB(FM), Boston Massachusetts. University feels that this will enable it to conserve valuable resources while satisfying the programming needs of an unserved area.

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

1. Ascertain the issues of public concern of the Falmouth area. This will be accomplished through several methods. University will hold an annual meeting in Falmouth during which Falmouth residents and community leaders can provide direct input into the programming of WFPB. Community leaders from Falmouth will be placed on the existing WUMB(FM) Community Advisory Board and will be able to provide information and advise on the programming goals of the station. University's radio station personnel will hold an on-air event for WFPB in Falmouth to acquaint the community with the operation of the station. Additionally, University's Boston Campus College of Management maintains a working relationship with Cape Cod Community College in nearby Hyannis. Individuals from this campus who live in Falmouth will also be a source of input to WFPB on local concerns.

2. Based on the results of its ascertainment,

University will regularly produce and broadcast public affairs and public service programming that addresses the informational and cultural needs of Falmouth. These programs will include public affairs interviews with local community leaders and cultural producers, recorded broadcasts of concerts and other local cultural events and regular public service announcements related to Falmouth.

3. University will maintain a toll-free telephone number between Falmouth and WFPB's main studio in Boston, Massachusetts.

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 Falmouth, Massachusetts. Accordingly, 47 C.F.R. § 73.1125(a)(4) IS HEREBY WAIVED to the extent indicated herein and the application to modify the construction permit WFPB IS HEREBY GRANTED. The construction permit authorization will be forwarded under separate cover.

Sincerely,



Dennis Williams *for*
Assistant Chief
Audio Services Division
Mass Media Bureau

cc: Mrs. Patricia Monteith