

## FEDERAL COMMUNICATIONS COMMISSION

JUL 1 4 18 PM '96 WASHINGTON, D. C. 20554

JUN 27 1996

IN REPLY REFER TO:  
1800B3-ALM

Harry F. Cole, Esq.  
Bechtel & Cole  
Suite 250, 1901 L Street, N.W.  
Washington, D. C. 20036

Re: Modification of WKNS(FM) Kinston, North Carolina, File No. BPED-950214ME

Dear Mr. Cole:

The staff has under consideration the application of Craven Community College ("Craven") to modify the facilities of WKNS(FM) in Kinston, North Carolina (File No. BPED-950214ME). Craven requests waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125,<sup>1</sup> in order to operate WKNS(FM) as a satellite of commonly owned NCE station WTEB(FM), New Bern, North Carolina. For the reasons set forth below, we will waive 47 C.F.R § 73.1125 and grant Craven's application for a construction permit.

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.

Craven'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. Craven proposes to operate WKNS(FM) as a satellite of WTEB(FM), New Bern, North Carolina, approximately 20 miles from Kinston. To that end, Craven has pledged to: (1) ascertain the needs and interests of Kinston and Lenoir County through various means including regular, periodic interviews with representative Kinston and Lenoir County community leaders; (2) maintain on-going contacts with Kinston

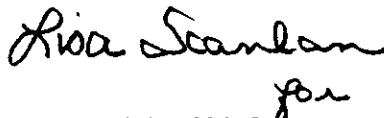
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<sup>1</sup>A "satellite" meets all of the Commission's technical rules, however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order, 3 RR2d 1554, 1562 (1964).

and Lenoir County through station representatives, including employees, volunteers and underwriters, who reside in Kinston and/or Lenoir County; (3) review, on a regular basis, one or more newspapers and other media sources from Kinston and Lenoir County; and (4) cover, on the proposed station, issues of local importance to Kinston and Lenoir County, and provide programming generally responsive to the needs and interests of the audience therein; (5) retain at least one program, produced by a Lenoir County resident, which was previously broadcast on WKNS(FM) by the former licensee of the station; (6) retain the services of a news stringer or news reporter located in Kinston; (7) as the need arises, assign other members of Craven's staff to cover important issues in Kinston and Lenoir County; and (8) maintain a toll-free telephone number between Kinston, and the WKNS(FM) main studio in New Bern, North Carolina. We also remind Craven that it must maintain a public file for the new station in Kinston, as required by 47 C.F.R. § 73.3527(d). In these circumstances, we are persuaded that Craven will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Craven Community College for modification of the facilities of WKNS(FM), Kinston, North Carolina (File No. BPED-950214ME) and the request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED. The authorization will be forwarded under separate cover.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Scanlon". The signature is written in black ink and is positioned above the typed name and title.

Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau