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

MAR 13 2002

In Reply Refer To:
1800B3-MAT

Bowling Green Community Broadcasting, Inc.
1407 Scottsville Road
Bowling Green, Kentucky, 42104

In Re: **NEW(FM), Owensboro, Kentucky**
Bowling Green Community Broadcasting, Inc.
File No. BPED-19960423MB
Facility ID No. 81648
Request for Waiver of Main Studio Rule

Dear Applicant:

The staff has under consideration the above-captioned application filed by Bowling Green Community Broadcasting, Inc. ("BGCB") for a construction permit for a new noncommercial educational ("NCE") FM station in Owensboro, Kentucky. BGCB has requested a waiver of the main studio requirement, 47 C.F.R. § 73.1125, in order to operate the Owensboro, Kentucky station as a satellite¹ of its commonly-owned NCE station WCVK(FM), Bowling Green, Kentucky. For the reasons set forth below, we will waive Section 73.1125 and grant Owensboro's application for a construction permit.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license; (2) within the principal community contour of any other broadcast station licensed to its community; or (3) within 25 miles of the center of the community of license. *See* Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations, *Report and Order*, 13 FCC Rcd 15691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order"). However, under Section 73.1125(b)(2), 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 a 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.*

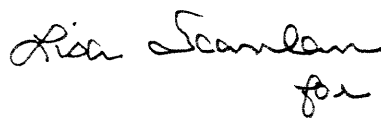
¹A "satellite" station meets all of the Commission's technical rules; however, it originates no programming and instead rebroadcasts the parent station's programming. *See* Amendment of Multiple Ownership Rules, *Memorandum Opinion and Order*, 3 RR 2d 1554, 1562 (1964).

BGCB's request is based on the economies of scale which would be realized by a grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a) in these circumstances. BGCB proposes to operate the Owensboro station as a satellite of WCVK(FM), Bowling Green, Kentucky, approximately 60 miles from Owensboro, Kentucky. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, BGCB has pledged to: (1) on an ongoing basis, conduct an ascertainment of the problems, needs and interests of the Owensboro area by the station's principals. As a result, responsive news, public affairs and educational programming will be broadcast by the station; (2) an existing advisory committee of six appointed members who live and work in Owensboro will assist BGCB in fundraising, identifying local talent for broadcast on the station, facilitating relationships with churches and congregations in Owensboro and in giving BGCB input on local needs and concerns; (3) WCVK's existing public affairs programming will be supplemented to ensure that the needs of Owensboro and its service area are not slighted and an increased effort will be made to include representatives of Owensboro on WCVK's public affairs programming; (4) the advisory committee, station volunteers, members of BGCB's board of directors and management-level employees of BGCB will periodically visit Owensboro and (5) BGCB will maintain a toll-free number for Owensboro residents to use to contact the main studio of WCVK.

Under these circumstances, we are persuaded that BGCB will meet its local service obligations and thus, grant of the requested waiver is consistent with the public interest. We remind BGCB, however, of the requirement that it maintain a public file for the Owensboro station at the main studio of the station at which its programming is originated, and it must provide the accommodation to listeners or residents as required under the amended rules. *See Reconsideration Order*, 14 FCC Rcd at 11129, ¶45. Thus, in the instant case, BGCB must maintain the public file at the main studio of parent station WCVK(FM), Bowling Green, Kentucky.

Accordingly, the application of Bowling Green Community Broadcasting, Inc. for a construction permit for a new noncommercial educational FM station in Owensboro, Kentucky (BPED-19960423MB) and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The construction permit authorization will follow under separate cover.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter H. Doyle", with a small "for" written below it.

Peter H. Doyle, Chief
Audio Services Division
Mass Media Bureau