

FEDERAL COMMUNICATIONS COMMISSION
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Cary S. Tepper, Esquire
Booth, Freret, Imlay & Tepper, P.C.
5101 Wisconsin Avenue, N.W., Suite 307
Washington, D. C. 20016-4120

In re: NEW (Ed. FM), Clinton, OK
Cameron University
Facility ID No. 122436
File No. BNPED-20000202AAW

Dear Mr. Tepper:

This is in reference to the captioned application filed by the Cameron University ("Cameron") for a new noncommercial educational FM station in Clinton, Oklahoma. The application, *inter alia*, requests a waiver of 47 C.F.R. § 73.1125, the Commission's main studio rule, to permit the proposed station to operate as satellite station of commonly owned NCE station, KCCU-FM, Lawton, Oklahoma.¹ For the reasons set forth below, we shall grant Board's application and its request for a waiver.

Pursuant to section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community. See Report and Order, *Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast television and radio stations*, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order"). However, under Section 73.1125(b)(2), the Commission will waive these requirements 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.*

¹ A "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 RR2d 1554, 1562 (1964).


Cameron's request is based on the economies of scale that 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) in these circumstances.

Cameron proposes to operate the proposed Clinton station, as a satellite station of KCCU-FM, Lawton, Oklahoma, approximately 60 miles from Clinton. 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, Cameron has pledged to: (1) formally ascertain the general public and community leaders at least once a year, via survey, including mayors, chamber of commerce presidents, the Southwestern Oklahoma State University president, civic organizations, and school principals and boards; (2) have a liaison, through Southwestern Oklahoma State University, who will live in Clinton and represent Cameron; (3) form a community advisory board or friends group which will provide direct input to station programming intended to meet the needs of Clinton; (4) subscribe to a minimum of three local newspapers; (5) provide a yearly forum in Clinton for citizens to comment on the station's programming; (6) utilize the services of a full-time production director to contact Clinton non-profit organizations to determine the needs and interests of Clinton; (7) produce a weekly one hour new and talk show specifically focused on the needs and interests of Clinton; (8) have a local auxiliary studio in Clinton which can be used to provide programming in case the satellite link to KCCU-FM is lost and to produce local programming including weather and public service programs; (9) maintain a copy of the station's public inspection file in Clinton; and (10) maintain a toll-free telephone number from Clinton to the KCCU-FM main studio.

In these circumstances, we are persuaded that Cameron will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind Cameron, however, of the requirement that it maintain a public file for the Clinton station at the main studio of the "parent" station, KCCU-FM, Lawton, Oklahoma. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *See Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶45. We further remind Cameron that, notwithstanding the grant of the waiver requested here, the public file for the Clinton station must contain the quarterly issues and programs list for Clinton required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, having determined that application filed by Cameron University for a new noncommercial educational radio station at Clinton, Oklahoma is fully in compliance with the Commission's rules, the application (BNPED-20000202AAW) and the request for a waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,



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