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FEDERAL COMMUNICATIONS COMMISSION
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In Re: WQEM(FM) Columbiana, Alabama

Glen Iris Baptist School
Facility ID No. 41641

Modification of License
File No. BMLED-20021112ACF

Request for Waiver of 47 C.F.R. §
73.1125 (Main Studio Rule)

Dear Counsel:

The staff has under consideration the above-referenced modification of license application for a noncommercial educational ("NCE") FM station in Columbiana, Alabama, filed by Glen Iris Baptist School ("GIBS"). In the application, GIBS also seeks a waiver of Section 73.1125 in order to operate WQEM(FM) as a "satellite" of its NCE FM station WGIB(FM), Birmingham, Alabama. For the reasons set forth below, we will waive Section 73.1125 and grant GIBS's modification of license application.

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 its community of license.¹ 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 operation 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.² A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.³

¹ See *Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998), recon. granted in part, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").

² *Id.*

³ *Id.*

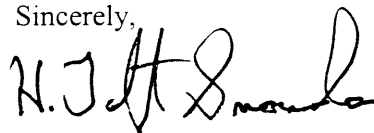
GIBS's request is based on the economies of scale which would be realized by grant of its waiver, *e.g.*, avoiding the cost of equipping, staffing, and operating a studio in the Columbiana area. We agree and conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) under these circumstances. As noted above, GIBS proposes to operate WQEM(FM), Columbiana, Alabama as a satellite station of WGIB(FM), Birmingham, Alabama approximately 27 miles from Columbiana. Where there is significant distance between the parent and the satellite station, 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, GIBS has pledged to meet its local service obligations by: (1) establishing a Community Advisory Board in Columbiana consisting of representative members of the educational, religious, arts governmental and business communities. One of the two management-level staff members of GIBS's broadcast faculty will travel to Columbiana and meet quarterly with the members of the Advisory Board; (2) contacting individual board members periodically for up-to-date input on matters of importance to the community; (3) maintaining a toll-free number from Columbiana to the WGIB(FM) studio in Birmingham; and (4) maintaining a public inspection file for the station within Columbiana.

Under these circumstances, we are persuaded that GIBS will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind GIBS, that, notwithstanding its commitment to maintain a public inspection file in Columbiana, it must also maintain a public file for WQEM(FM) station at the main studio of the parent station, WGIB(FM), Birmingham, Alabama. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁴ We further remind GIBS that, notwithstanding the grant of the waiver requested here, the public file for the station must contain the quarterly issues and programs list, as required by 47 C.F.R. Section 73.3527(e)(8).

We have reviewed GIBS's license application (BMLED-20021112ACF) to cover the modification of the existing facility for WQEM(FM) and find that the application meets all pertinent technical requirements that the modified facilities were constructed in accordance with the Commissions authorization, and that the grant of the application would further the public interest, convenience and necessity.

Accordingly, the license modification application of Glen Iris Baptist School for WQEM(FM) Columbiana, Alabama, as well as its request for waiver of 47 C.F.R. Section 73.1125, ARE GRANTED. The authorization is enclosed.

Sincerely,



H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

⁴ See *Reconsideration Order*, 14 FCC Rcd at 11129.