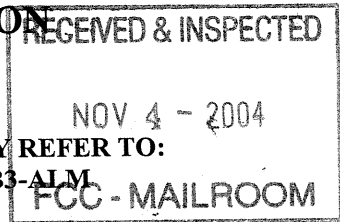


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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

NOV 02 2004

IN REPLY REFER TO:
1800B3-ALM



Lauren A. Colby, Esquire
10 East Fourth Street
Post Office Box 113
Frederick, Maryland 21705-0113

In re: WFRF(FM), Monticello, FL
Facility ID No. 122333
Faith Radio Network, Inc.
Modification of License
BMLED-20040813AAT

Dear Mr. Colby:

The staff has under consideration the captioned application filed by Faith Radio Network, Inc. ("Faith") to modify the license of WFRF(FM), Monticello, Florida, from commercial to noncommercial, educational. Faith has also requested a waiver¹ of the Commission's main studio requirement, 47 C.F.R. Section 73.1125, in order to operate WFRF(FM) as a satellite of its NCE station, WFRF(AM), Tallahassee, Florida.² For the reasons set forth below, we will waive 47 C.F.R. Section 73.1125 and grant Faith's application and request.

Modification of License Application. Pursuant to *Amendments of Parts 73 and 74 of the Commission's Rules to Permit Certain Minor Changes in Broadcast Facilities Without a Construction Permit*,³ Faith may apply to convert the WFRF(FM) from commercial authorization to noncommercial educational FM status. Faith may do so by filing a license application which demonstrates that it is a qualified educational organization, pursuant to 47.C.F.R. Section 73.503(a), and that the station will be used to advance its educational program.⁴ We will accept the instant showing. An examination of Faith's proposal reveals that it is qualified to operate WFRF(FM) as a noncommercial educational facility and that grant thereof would serve the public interest, convenience and necessity.

¹ A supplement to Faith's waiver request was submitted on September 13, 2004.

² 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).

³ 12 FCC Rcd 12371 (1997).

⁴ See 47.C.F.R. § 73.1690(c)(9).

Main Studio 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.⁵ 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.⁶ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.⁷

Faith'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. Section 73.1125(a) in these circumstances.

Faith proposes to operate WFRF(FM), Monticello, Florida, as a satellite of WFRF(AM), Tallahassee, Florida, approximately 28 miles from Monticello. The Commission expects the licensee of a satellite station to take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, Faith has pledged to: (1) engage the services of a local Monticello resident who will serve as a liaison between the community's and Faith's programming personnel, and who will conduct an annual ascertainment of community leaders and residents of Monticello; (2) maintain a production facility in Monticello that can be used, as the need arises, to cover local events or happenings; (3) air programming in Faith's news and public affairs programming that responds to the ascertained needs; (4) maintain a duplicate copy of the WFRF(FM) public inspection file on the Faith web site; (5) maintain an e-mail address for the receipt of comments, suggestions, and other communications from Monticello residents; (6) maintain a toll free telephone number between Monticello and the WFRF(AM) main studio; and (7) post a sign at the Monticello production facility that provides information on how to review the WFRF(FM) public inspection file and how to contact Faith through e-mail and phone service.

In these circumstances, we are persuaded that Faith will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind Faith, however, of the requirement that it maintain a public file for WFRF(FM), Monticello Florida, at the main studio of the "parent" station, WFRF(AM), Tallahassee, Florida. It must

⁵See 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").

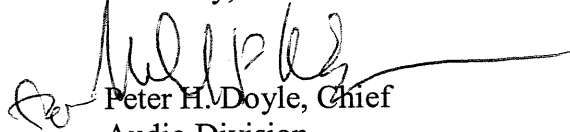
⁶*Id.*

⁷*Id.*

also make reasonable accommodation for listeners wishing to examine the file's contents.⁸ We further remind Faith that, notwithstanding the grant of the waiver requested here, the public file for WFRF(FM) must contain the quarterly issues and programs list for WFRF(FM), as required by 47 C.F.R. Section 73.3527(e)(8).

Accordingly, the application of Faith Radio Network, Inc., to modify the construction license of WFRF(FM), Monticello, Florida, from commercial to noncommercial educational, BML-20040813AAT, being in all respects acceptable, and its request for a waiver of 47 C.F.R. Section 73.1125, ARE HEREBY GRANTED.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter H. Doyle", with a long horizontal flourish extending to the right.

Peter H. Doyle, Chief
Audio Division
Media Bureau

⁸See *Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶45.