

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

MAR 27 2007

IN REPLY REFER TO:
1800B3-RAB

John C. Trent, Esquire
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200 S. Church Street
Woodstock, VA 22664

MAILED
MAR 27 2007
FCC MAIL ROOM

In Re: KCKR(FM), Kaplan, LA
Family Worship Center Church, Inc.
Facility ID No. 83852

Application for Assignment of
Construction Permit
File No. BAPED-20061227ABO

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

Dear Counsel:

The staff has under consideration the referenced application to assign the construction permit of noncommercial educational ("NCE") FM station KCKR, Kaplan, Louisiana, from North Alabama Educational Foundation to Family Worship Center Church, Inc. ("FWCC"). In the application, FWCC seeks a waiver of the Commission's Main Studio Rule, Section 73.1125, in order to operate station KCKR(FM) as a "satellite" of commonly owned noncommercial educational ("NCE") station WJFM(FM), Baton Rouge, Louisiana.¹ For the reasons set forth below, we shall grant both the assignment application and the waiver request.

Pursuant to Section 73.1125(a), a broadcast station's 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

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).

the center of its community of license.² 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.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.⁴

FWCC'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. Section 73.1125(a)(4) under these circumstances. As noted above, FWCC proposes to operate KCKR(FM), Kaplan, Louisiana, as a satellite station of WJFM(FM), Baton Rouge, Louisiana, approximately 58.67 miles from Kaplan. Where there is a great distance between the parent and 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, FWCC has pledged to meet its local service obligations by: (1) establishing a community advisory board in Kaplan to assist in ascertaining the specific issues, needs and interests of the community, and in suggesting the types of programming responsive to such community issues; (2) developing a "volunteer listener program" (to be advertised in a local newspaper with contact information provided), which will have local listeners committed to being available to check on the transmitter to provide assistance to the advisory board; (3) developing a live call-in program in which listeners are encouraged to call in with comments on various topics; (4) maintaining a copy of KCKR(FM)'s local inspection file in Kaplan; and (5) maintaining a toll-free telephone number, as required by Section 73.1125(d) of the rules.

In these circumstances, we are persuaded that FWCC will meet its local service obligation and, thus, that grant of the requested waiver is consistent with the public interest. We remind FWCC, however, of the requirement that it maintain a public file for KCKR(FM), Kaplan, Louisiana, at the main studio of the "parent" station, WJFM(FM), Baton Rouge, Louisiana. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind FWCC that, notwithstanding the grant of the waiver requested here, the public file for KCKR(FM) must contain the quarterly issues and programs list for Kaplan, Louisiana, as required by 47 C.F.R. Section 73.3527(e)(8).

² 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").

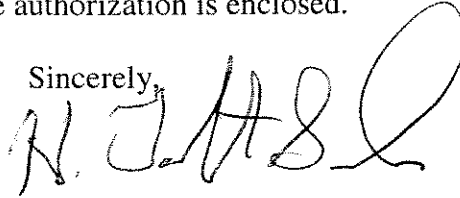
³ *Id*

⁴ *Id*

⁵ See *Reconsideration Order*, 14 FCC Rcd at 11129, Paragraph 45.

Accordingly, finding the applicants qualified and that grant of the assignment application would serve the public interest, convenience and necessity, the application (File No. BAPED-20061227ABO) to assign the construction permit of station KCKR(FM), Kaplan, Louisiana, from North Alabama Educational Foundation to Family Worship Center Church, Inc. and the concomitant request for waiver of 47 C.F.R. Section 73.1125, ARE HEREBY GRANTED. The authorization is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is written in a cursive style with a large, prominent loop at the end.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

cc: Family Worship Center Church, Inc.
Enclosure