



Federal Communications Commission  
Washington, D.C. 20554

MAR 03 1997

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Todd M. Stansbury  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, DC 20006

*Handwritten:* KLLC

Re: EAS Exemption For Minnesota Public Radio, KLDC (FM), Decorah, IA; KXLC (FM), LaCrescent; KNSR (FM), Collegeville; KRSW (FM), Worthington; KBPR (FM), Brainard; KNTN (FM), Thief River Falls; KQMN (FM), Thief River Falls; WIRR (FM), Virginia/Hibbing; KRSU (FM), Appleton; KNCM (FM), Appleton; WIRN (FM), Buhl, Minnesota.

Dear Mr. Stansbury:

You have requested an exemption from the Federal Communications Commission's (FCC) rules requiring individual broadcast stations to install Emergency Alert System (EAS) equipment. You explain that a broadcast station serves as a master control center, or hub or parent station, and originates and controls programming that is broadcast by one or more other broadcast stations, so-called satellite stations. You request that only the station serving as a master control center or parent be required to install EAS equipment and that satellite stations be exempted from this requirement.

For the reasons stated below, we are denying an exemption for satellite stations, but are granting a one year extension of time until January 1, 1998, before the EAS equipment requirements apply to the individual satellite station(s) in your request. During this period, the FCC will review requests for exemptions for satellite stations and will, on a case by case basis, either exempt satellite stations or require them to have EAS equipment. This extension of time only applies to the satellite station(s) reflected in your request.

As a related matter, the Commission exempted FM translator stations (which are different than satellite stations) from the requirement to install EAS equipment. 47 C.F.R. Section 11.11(a); Memorandum Opinion and Order, 10 FCC Rcd 11494 (1995). An FM translator station retransmits the signal of its parent FM station to authorized areas where direct reception of the parent station is unsatisfactory because of distance or terrain barriers. 47 C.F.R. Section 74.1231(a).

The Commission will consider several factors to determine whether to exempt a particular satellite station from the requirement to

install EAS equipment. Factors favoring exemption include whether the satellite station is currently exempt from the FCC's rule requiring broadcast stations to maintain a main studio. 47 C.F.R. Section 73.1125. Perhaps more important is whether the satellite station is in the same EAS Local Area, as specified in the state EAS plan, as the parent station, and, therefore, whether the parent station can conduct EAS monitoring for the satellite station. See 47 C.F.R. Section 11.21. EAS Local Areas may be different from Operational (Local) Areas used by the Emergency Broadcast System.

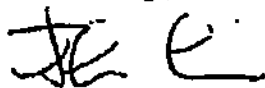
If a satellite station is not in the same EAS Local Area, it is possible that an exemption might still be granted if the EAS equipment at the parent station is capable of monitoring the two EAS sources that the satellite station is required to monitor in addition to the two EAS sources that the parent station is required to monitor. See 47 C.F.R. Section 11.52. Some EAS equipment is capable of monitoring four or more sources. If a station has EAS equipment with this capability, the remaining question is whether this equipment is able to receive the two sources the satellite station is required to monitor. In any particular case, factors other than described here may also be relevant to our decision regarding an exemption.

EAS equipment is capable of automatic operation, and, therefore, unlike EBS, does not depend on having an employee present to operate the equipment. It is understood that a variety of EAS equipment is available at different prices.

The authority to grant a one year extension of the EAS equipment requirements for the satellite station(s) specified in your request for an exemption is contained in Section 0.311(g) of the FCC's rules. 47 C.F.R. Section 0.311(g) (authorized the Compliance and Information Bureau to process EAS waiver requests). Please post this letter and your letter requesting the exemption with your station license.

If you have further questions, please phone the Emergency Communications staff at (202) 418-1220.

Sincerely,



Frank Lucia  
Director, Emergency Communications