

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D. C. 20006
(202) 429-7000

M.P.R. KNGA

DUPLICATE

T. Stansbury, 11th
KNGA public file
KGAC public file

WRITER'S DIRECT DIAL NUMBER

FACSIMILE
(202) 429-7049

September 25, 1998

(202) 828-4948

VIA HAND DELIVERY

Magalie Roman Salas, Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

SEP 25 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Minnesota Public Radio**
Supplement to Request for Waiver of EAS Rules
KNGA(FM) and KGAC(FM), St. Peter, Minnesota

Dear Ms. Salas:

Minnesota Public Radio ("MPR") has pending requests for waiver of the Emergency Alert System Rules, 47 C.F.R. Part 11, for thirteen of its licensed noncommercial educational FM radio stations. Attached are the original request of December 5, 1996, as supplemented by letters dated June 20, 1997 and December 8, 1997. Enclosed for filing with this letter is a supplement requesting that MPR's licensed stations KNGA(FM) and KGAC(FM), St. Peter, Minnesota, be added to the request for waiver of the EAS rules. As demonstrated below, upon grant of the requested waivers for KNGA and KGAC, MPR would continue to be able to provide critical emergency information to St. Peter in an efficient, cost-effective fashion through operation of MPR's extensive radio network.

As MPR informed the Commission in a letter dated April 7, 1998, the studios of KNGA and KGAC were destroyed in a tornado on March 29, 1998. Based on the high costs involved in rebuilding and the operational costs associated with maintaining the studios, MPR has decided it is not feasible to rebuild the studios and that it will operate the stations as pure satellite stations of MPR's two EAS-equipped "flagship" stations in Minneapolis/St. Paul. Specifically, KNGA will be a pure satellite of KNOW(FM), Saint Paul, Minnesota and carry that station's news and information programming, and KGAC will be a pure satellite of KSJN-FM, Minneapolis,

Magalie Roman Salas, Secretary
September 25, 1998
Page 2

Minnesota, and carry that station's arts/performance programming. Also pending for these stations are requests for waiver of the main studio rule, 47 C.F.R. § 73.1125 (FCC File Nos. BPED-970203IE and BPED-970203IC).

As stated in its original December 5, 1996 EAS waiver request, MPR is a nonprofit corporation formed for the purpose of providing noncommercial educational radio service to listeners in Minnesota and surrounding states. MPR currently is the licensee or permittee of 30 radio stations, which provide 24 hours-per-day quality programming accessible to virtually all of Minnesota's citizens, as well as substantial numbers of listeners in North Dakota, South Dakota, Iowa, Wisconsin, Michigan, and southern Ontario.

MPR maintains the ability to provide high quality public service to St. Peter, Minnesota. MPR has an extensive 24 hours per day, 7 days per week, news organization that delivers information of national, state and local interest throughout its listening area. Indeed, MPR has an Institutional Sponsor Council, which meets with the MPR Board of Trustees and management on a regular basis to, among other things, assist MPR with its coverage of news and events in their region. Gustavus Adolphus College in St. Peter has had and will continue to have a representative on the Institutional Sponsor Council, and Bethany Lutheran College in nearby Mankato also will continue to have a representative on the Council.

MPR believes that a waiver of the EAS rules for KNGA and KGAC would further the public interest. At all times, KNGA and KGAC will be able to broadcast a national level message. Moreover, because MPR has agreed to act as state-wide relay for national and state emergencies, KNGA and KGAC are able to pick up EAS information over-the-air. Thus, the stations will always be retransmitting the signal, including any EAS message, of a station with complete EAS capabilities -- either KSJN or KNOW-FM. Moreover, as MPR pointed out in its original waiver request, even though the new emergency alert system is designed to operate automatically, the cost of outfitting these stations with the necessary EAS equipment would be substantial. As a noncommercial educational licensee, grant of the waivers would enable MPR to conserve scarce resources that could otherwise be used to meet the programming and service needs of its listeners, without any detrimental effect on emergency services.

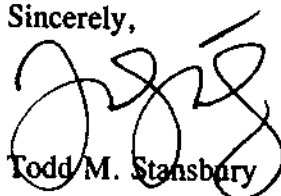
KNGA and KGAC will broadcast local or state messages concerning the St. Peter area from KNOW-FM and KSJN, which are located in St. Paul and which are staffed 24 hours per day, 7 days per week. Staff at KNOW-FM and KSJN will monitor all local or state messages concerning the St. Peter area.

Magalie Roman Salas, Secretary
September 25, 1998
Page 3

In October 1997, the Commission posed specific questions to MPR regarding its original requests for waiver of the EAS rules. For the Commission's convenience, attached is a response to those same questions with respect to KNGA and KGAC.

Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Stansbury", written over the printed name.

Todd M. Stansbury

Enclosure

cc: H. James Keats, Jr., Attorney, FCC EAS Staff
Mitzi T. Gramling, Esq.

SUPPLEMENT TO EAS EXEMPTION FOR MINNESOTA PUBLIC RADIO
MPR'S RESPONSE REGARDING KNGA AND KGAC TO COMMISSION'S
OCTOBER 28, 1997 REQUEST FOR INFORMATION

- 1a. Call signs of satellite stations requesting the waiver: KNGA(FM) and KGAC(FM)
- 1b. Mailing address of satellite stations: MPR, 45 East 7th Street St. Paul, MN 55101
- 1c. City of license: St. Peter, Minnesota
- 1d. EAS Local Area where the satellite station's city of license is located: Southeast EAS Area
- 2a. Call signs of parent stations that originate and control programs for KNGA and KGAC:
KNOW-FM (for KNGA)
KSJN (FM) (for KGAC)
- 2b. Mailing address of parent stations: MPR, 45 East 7th Street St. Paul, MN 55101
- 2c. EAS Local area where the parent station's city of license is located: East Central EAS Area
- 3a. The parent stations (KNOW-FM and KSJN) do not have the capability to monitor the monitoring assignments of the satellite stations (KNGA and KGAC) in addition to their own monitoring assignments.
- 4a. KNGA and KGAC have requests for waiver of the main studio rule pending.
- 4b. Because the main studios of KNGA and KGAC were destroyed in a tornado, these satellite stations operate without a main studio in St. Peter.
5. KNGA and KGAC have the capability to broadcast or to interject programming at the satellite station's transmitter.
6. KNGA and KGAC do not originate any programming.