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September 11, 1998

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VIA HAND DELIVERY

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

RECEIVED

SEP 11 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Application for Construction Permit for a Noncommercial
Educational FM Station in Austin, Minnesota
FCC File No. BPED-980603MB**

Dear Ms. Salas:

On June 3, 1998, Minnesota Public Radio ("MPR"), filed an application for a new noncommercial educational FM station in Austin, Minnesota, which remains pending (FCC File No. BPED-980603MB). In its application, MPR requested a waiver of the Commission's main studio rule, 47 C.F.R. §73.1125, to permit the co-location of the main studio of the proposed Austin station with the main studio of MPR's station KZSE(FM), Rochester, Minnesota. MPR hereby amends the pending main studio waiver request to request permission to co-locate the main studio of the proposed Austin station with MPR's KNOW(FM), St. Paul, Minnesota. The proposed Austin station will rebroadcast the news and information programming of stations KZSE(FM) and KNOW(FM).

MPR's request for a waiver of the main studio rule is necessitated by the fact that, for demographic and economic reasons, Austin cannot support another wholly independent noncommercial educational FM station. As set forth in the accompanying amendment, MPR will ensure that it is able to ascertain and satisfy the interests and needs of the residents of Austin, and

Magalie Roman Salas
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therefore respectfully requests that the Commission grant its pending request for waiver of the main studio rule for the proposed station as amended herein.

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. Joseph Knoll, III", written in a cursive style.

E. Joseph Knoll, III

Enclosure

cc: Mitzi T. Gramling

Certificate of Amendment

Minnesota Public Radio, applicant for a new FM station in Austin, MN (FCC file #BPED-980603MB), hereby amends its application for a construction permit to replace Exhibit #E4 filed with the original application with the attached Amended Exhibit #E4.

Respectfully Submitted,

By: Thomas Stagni
Vice President

August 28, 1998.

Minnesota Public Radio

August, 1998

Minnesota Public Radio ("MPR") proposes to construct and operate a new noncommercial educational FM station to serve the Austin, MN and surrounding area. Its studios will be co-located with those of KNOW (FM) for which MPR is the licensee. That studio is located at 45 East Seventh Street, Saint Paul, MN 55101.

MPR is a nonprofit corporation formed for the purpose of providing noncommercial educational radio service to listeners in Minnesota and surrounding states. MPR's current 29 FM and one AM operating facilities provide 24 hours-per-day quality programming accessible to 98% of Minnesota's citizens, as well as to substantial numbers of listeners in North and South Dakota, Iowa, Wisconsin, Michigan, Idaho and southern Ontario. MPR provides programming to its network of stations from its primary Minneapolis/Saint Paul stations - KSJN(FM), Minneapolis, Minnesota, and KNOW(FM), Saint Paul, Minnesota, and from many of its network stations throughout the region, including KZSE (FM) in Rochester, MN. KNOW (FM) is an all news/information station. The proposed station will be operated as a "news/information service" station in that it will primarily broadcast KZSE (FM) and KNOW(FM).

MPR currently holds licenses for and operates two FM translators in Austin, MN (K280EF and K277AD) and one translator in nearby Albert Lea, MN (K280EB). The Albert Lea translator and one of the Austin translators, K277AD, rebroadcast the signal of KZSE (FM) of Rochester, MN. Since it is requested that the proposed station will be broadcast programming of KZSE (FM), it is anticipated that K277AD will be replaced with the proposed station. It is also anticipated that the proposed station will deliver MPR programming not only to the Austin area, but to the Albert Lea area, thereby alleviating the need for K280EB in Albert Lea.

MPR therefore requests a waiver of Section 73.1125 of the Commission's Rules to permit MPR to operate its proposed noncommercial educational FM station on Channel 211 (90.1 MHz) at Austin, MN, as a satellite station without a main studio in the community of license. As demonstrated below, grant of the instant waiver request would be in the public interest.

The Commission has issued decisions stating that the "main studio must, at a minimum, maintain full-time managerial and full-time staff personnel." Jones Eastern of the Outer Banks, Inc., FCC 91-175, released June 19, 1991, at ¶ 9; see also Salem Broadcasting, Inc., DA 91-804, released July 2, 1991.

Grant of this requested waiver is necessary to permit MPR to operate the proposed Austin station as a "satellite" because the Austin area could not otherwise support another wholly independent non-commercial educational FM station. There is a small population within the station's proposed service area. Because of this area's limited economic base, it is highly unlikely that a station with separate staff and studio could provide the same high quality public radio service that MPR proposes. Therefore, waiver of Section 73.1125 is necessary in this case to ensure that the residents of Austin area receive the diverse and important programming MPR will provide.

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The Commission has recognized the advantages accruing to noncommercial broadcasters from consolidated operations:

In the past, we have recognized the benefits of centralized operations for noncommercial educational stations, given the limited funding available to these stations, and we have granted waivers to state and regional public television and radio networks to operate "satellite" stations that do not necessarily meet the requirements of a main studio.

Main Studio Program Origination Rules, 3 FCC Rcd. 5024, 5027 (1988) (citing Nebraska Educational Television Commission, 4 R.R.2d 771 (1965)). Indeed, the Commission has previously determined that waiver of the main studio rule for other stations in the MPR network serves the public interest. See Letter from Linda Blair, Chief, Audio Services Division to Todd M. Stansbury, dated May 31, 1996 (attached hereto); see also Letter from Dennis Williams, Assistant Chief, Audio Services Division to Todd M. Stansbury, dated November 6, 1995, File No. BPED-9508101A.

Upon grant of this request, MPR will satisfy the public needs and interests of residents of Austin by the following means:

First, MPR maintains a toll-free telephone line by which the residents of the Austin area will be able to reach MPR management to express concerns about the station operations.

Second, MPR has established a site on the World Wide Web (<http://www.mpr.org>), which enables local residents to receive extensive information regarding MPR's programming and provides a link for local residents to email concerns about the station operations to MPR management. The site contains descriptions of special reports, schedules for news and classical music programming, and on-line audio sources for MPR programming, including its radio series "A Prairie Home Companion®". In addition, MPR has established home pages on the MPR Web Site for its network stations. When the proposed station is constructed, MPR will add the proposed station to the Web Site list.

Third, MPR maintains Regional Advisory Councils associated with its stations in various parts of the state, and an Institutional Sponsor Council of the Board of Trustees, all of which actively advise management on programming issues of interest to the residents throughout MPR's service area, including Austin. A resident of Austin currently serves on the KZSE Regional Advisory Council, and a representative of Luther College, a major educational institution in nearby Decorah, Iowa, serves on the Institutional Council.

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Fourth, MPR has an existing relationship with the Austin area through its 225 active members in Austin and with the Albert Lea area through its 97 active members in Albert Lea, all of whom identify themselves as listeners of MPR's translators in Austin and Albert Lea (out of a total MPR membership of slightly under 84,000). MPR actively solicits comments from its members concerning programming and station operation and ensures that member requests and recommendations are thoughtfully considered in making programming decisions.

Fifth, KZSE (FM) maintains a local news reporter who produces local inserts, consisting of weather, special events, and other information of particular interest to the residents of Rochester, Austin, and surrounding areas. The reporter subscribes to the local and area publications, including publications from the Austin area, and maintains ongoing relationships with community residents and leaders, who are periodically contacted regarding local events and developments. The reporter uses information provided by these contracts to investigate events and to file news stories for broadcast by MPR either regionally or throughout the MPR multi-state network. MPR's news reporter also serves as a liaison between the area residents and MPR's programming management in Minneapolis/Saint Paul.

Sixth, KZSE (FM) has been, and intends to continue to, produce and broadcast a local call-in news program featuring issues of concern to the local communities of Rochester and the surrounding communities, including the Austin area. It is expected that this local programming will be broadcast on the proposed station.

Seventh, MPR operates the largest news organization of any radio service in the Midwest. With this extensive news resource, MPR is able to produce news programming from throughout MPR's service area and distribute it to all stations in the network. Additionally, MPR operates a traveling *Mainstreet Radio*® crew of 4 to 5 persons, which gathers and produces programming material from rural and small city locations such as the Austin area throughout MPR's service area for broadcast through the network. Thus, each service area, including Austin, plays an integral role in program production.

Finally, MPR has received a grant from the Corporation for Public Broadcasting that has been used to test a pilot program called "Local Link"™. The purpose of Local Link is to enhance local news coverage in rural and small communities. This program, which is unique in public broadcasting, is currently in the implementation and testing stages and has recently been installed at several of MPR's stations, including KZSE (FM). Local Link is enabling MPR to improve news programming in its small city markets, including Austin. For example, one of the goals of Local Link is to allow reporters located at stations in the areas of the state outside of Minneapolis and Saint Paul to spend less time on-air reading the news and more time getting out in the region they cover working with their contacts and covering local and regional news.

**Amended Exhibit #E4, Page 4
Studio Exhibit for Austin, Minnesota**

Minnesota Public Radio

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For the foregoing reasons, MPR submits that it will be able to ascertain and satisfy the interests and need of residents of the Austin area and, therefore, respectfully requests that the Commission grant this waiver of the main studio rule for the proposed station.

Prepared 08/27/98
Mitzi T Gramling