

NO. 996 002

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

May 2, 2000

IN REPLY REFER TO:
180083-ALM

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

In Re: WGGL(FM), Houghton, MI
Minnesota Public Radio
Facility ID No. 42913
Request for Waiver of 47 C.F.R.
§ 73.1125 (Main Studio Rule)

Dear Mr. Stansbury:

The staff has under consideration the request of Minnesota Public Radio ("MPR") for a waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate the WGGL(FM) as a satellite of its commonly owned NCE station KSJN(FM), Minneapolis, Minnesota.¹ For the reasons set forth below, we shall grant MPR's request for waiver.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. *Amendment of Sections 73.1125 and 73.1130*, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement 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. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

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).

MPR'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. § 73.1125(a)(4) in these circumstances.

MPR proposes to operate WGGL(FM), Houghton, Michigan, as a satellite of KSJN(FM), Minneapolis, Minnesota, approximately 400 miles from Houghton. Where there is a great distance between parent and satellite stations and they are located in different states, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, MPR has pledged to: (1) continue its policy that residents of each service area participate on a regional advisory council which provides input to management on programming issues of interest to the residents throughout MPR's service area, including Houghton; (2) continue its existing relationship with the community of Houghton which has been established by means of membership in MPR; (3) solicit comments from MPR members in Houghton concerning programming and station operation; (4) employ a Houghton-based news reporter who will produce and broadcast local inserts of interest to Houghton and who will subscribe to local and area publications and maintain ongoing relationships with community residents and leaders, who will periodically contact and update the reporter concerning matters of local interest; (5) maintain a toll-free telephone number for residents of Houghton to contact MPR management in accordance with 47 C.F.R. § 73.1125(c); and (6) operate a site on the World Wide Web, which enables local residents to receive extensive information and comment on MPR's programming.

In these circumstances, we are persuaded that MPR will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind MPR, however, of the requirement that it maintain a public file for the Houghton station at the main studio of the "parent" station KSJN(FM). *See Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 64 Fed. Reg. 35941 (July 2, 1999). We further remind MPR that notwithstanding the grant of the waiver requested here, the public file for WGGL(FM) station must contain the quarterly issues and programs list for Houghton, Michigan required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the request of Minnesota Public for waiver of 47 C.F.R. § 73.1125 IS
HEREBY GRANTED.

Sincerely,



Linda Blair, Chief
Audio Services Division
Mass Media Bureau