

Exhibit 13

Main Studio Waiver

On behalf of Eastern Kentucky University ("EKU"), the applicant for a new non-commercial educational station to serve Pineville, Kentucky, we hereby request a waiver of Section 73.1125 of the Commission's rules ("the main studio rule"). The waiver is sought to permit EKU to locate the main studio for the Pineville station approximately 85 miles away, at EKU's campus and the main studio for its station, WEKU in Richmond, Kentucky. In making this waiver request, we are providing the Commission with information appropriate for a finding of "good cause" and that the grant of a waiver in this circumstance will be, pursuant to Section 73.1125(b)(2), "consistent with the operation of the station in the public interest."

EKU currently operates a non-commercial educational radio station, WEKU, Richmond, Kentucky, using direct listener support. EKU proposes to operate the Pineville station as a "satellite" station of WEKU. EKU has already received waivers to operate satellite stations WEKH, Hazard, Kentucky; and WEKF, Corbin, Kentucky. As such, EKU is experienced in serving distant communities. EKU also operates translators W236AY, Pikeville, Kentucky; W245AS, Barbourville, Kentucky; and W237AY, Middlesboro, Kentucky.

The proposed main studio for the Pineville station, is the WEKU studio in Richmond, Kentucky. This location is approximately 85 miles from the designated reference coordinates for the licensed community of Pineville. The co-location of the main studios will generate valuable economies of scale and cost savings allowing EKU to maintain high quality non-commercial educational programming in the small community of Pineville. The obligation to maintain separate staffing and studio locations for two non-commercial FM stations will place a serious financial burden on EKU and divert limited resources away from the Pineville station.

Due to EKU's desire to provide radio programming to Pineville for at least six (6) years, EKU is intimately familiar with the Pineville area as well as the needs, interests, problems, and concerns of the Pineville community. This familiarity forecloses concerns regarding the ability to meet the needs of the residents of the Pineville community. Even so, EKU will have a local representative, who may be a volunteer, to act as a liaison between the Pineville community and EKU's programming personnel. The local representative will be charged with assisting EKU's programming personnel in determining the needs, problems, and concerns of Pineville's listeners.

EKU will maintain facilities that will allow it to originate programming from within twenty-five (25) miles of the referenced coordinates of the center of Pineville. Further, EKU will maintain a toll-free telephone number as required by Section 73.1125(e) of the Commission's rules. Though the public inspection file for the Pineville station will be maintained at the main studio of the "parent" station, WEKU in Richmond, Kentucky, EKU commits to make reasonable accommodation to listeners wishing to examine the file's contents.

The Commission traditionally considers waiver requests by non-commercial educational station on a case-by-case basis. *See Main Studio and Program Origination Rules*, 3 FCC Rcd 5024 (1988); *Review of the Commission Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691, 15695 n.18 (1998). For non-commercial waivers requests, the Commission has expressly found "good cause" to exist

in numerous instances based solely on a showing that centralized operations will provide economic benefit to non-commercial stations, provided that local service obligations are met. *See Letter to Roy R. Russo, Esq.*, dated January 24, 1994; *Letter to Richard J. Bordoff*, dated January 2, 1992; *The President of the Board of Trustees of the Miami University*, 7 FCC Rcd 2902 (1992); *The Cedarville College*, 6 FCC Rcd 538 (1991).

Though this request seeks a waiver to locate the main studio for the Pineville station approximately fifty (50) miles outside the twenty-five (25) mile radius in the main studio rule, ECU notes that it is aware of several main studio waivers granted to non-commercial educational radio stations permitting the main studio to be located more than 1000 miles away.

As set forth above, good cause exists for waiver of the main studio rule. Further, allowing the combination of resources for these co-owned stations will allow ECU to provide better and more programming to better serve the public. This distance waiver is fully "consistent with the operation of the station in the public interest."

ECU requests that the Commission find, pursuant to Section 73.1125(b)(2) of its rules, that the public interest will be served by the consolidation of the Pineville station's main studio with WEKU's main studio and authorize ECU to locate the Pineville station's main studio outside the station's principal community contour, outside the contour of any other broadcast station's licensed to Pineville, Kentucky, and more than 25 miles from the reference coordinates of the center of Pineville, Kentucky.