

MAIN STUDIO WAIVER REQUEST

Proposed assignee Friends of 88.5 FM (Friends) hereby requests waiver of Section 73.1125(a)(3) of the rules to permit operation of noncommercial educational Stations KPLI(FM), Olympia, KVIX(FM), Port Angeles, and KPLK(FM), Sedro-Woolley, all in the state of Washington, from Friend's main studio facilities for noncommercial educational Station KPLU-FM in Tacoma, WA.

As background, Friends seeks Commission authority to acquire the following four noncommercial educational stations from Pacific Lutheran University (PLU), all in the state of Washington: flagship Station KPLU, Tacoma, and satellite Stations KPLI(FM), Olympia; KVIX(FM), Port Angeles; and KPLK, Sedro-Woolley. All of the stations operate out of studios on PLU's main campus in Takoma. PLU was granted waivers of Section 73.1125(a)(3) of the Commission's Rules to permit operation of the Port Angeles and Sedro-Woolley stations from KPLU's Takoma studios. Because the Takoma studio of KPLU is located within the requisite service contour of KPLI, no waiver was needed in connection with this facility. Friends proposes to continue operating KPLU and its three satellite stations from the existing Tacoma main studio for KPLU-FM.

As shown below, Friends fully intends to fulfill its local service obligations to the communities of license, and toward that end the public interest would be served by a waiver of the main studio rule.

KPLU and its associated stations, operating under previous studio waivers, have served their cities of license with jazz and blues music programming and news and public affairs programming created by NPR and the KPLU-FM staff.

Continued operation of the KPLU network from the Tacoma studios will allow critical conservation of financial resources, which will enable continued production of a high-quality program service. Separate minimally staffed studios in each community simply could not produce a program service with breadth or quality comparable to that which it is possible to produce from Friend's existing main studio. Indeed, operation of the facilities would not be viable if Friends were required to maintain separate staffing and studios for each station.

Friends will pursue associations with individuals and institutions in the communities of license to develop and produce programming that is responsive to those communities' interests and needs. The results of these efforts will be reflected in programming aired on the acquired stations. Friends in addition will cover significant events, including cultural events, political campaigns and election results, in the communities of license. The public files will be maintained and made available for public inspection in accordance with the FCC's rules. The proposed operation will also comply with all technical rules and regulations, including EAS requirements.

Friends specifically recommits to commitments made by PLU for the studio waivers it previously secured, as follows:

KVIX, Port Angeles - In the 1998 application (File No. BPED-19980813ME) granted by an August 7, 2003 Letter Decision in MX Group 980811, PLU pledged to: seek input from the Port Angeles community in developing programming strategy to address local and regional issues and to subscribe to and strengthen its relationship with The Peninsula Daily News, Port Angeles' local newspaper.

KPLK, Sedro-Woolley In the waiver request filed as part of the 2007 application for construction permit (File No. BNPED 20071018ARZ), granted in 2009, PLU similarly promised to subscribe and/or monitor online The Skagit Valley Herald "or another appropriate regional newspaper" and committed to coverage by reporters and stringers of news in the Sedro-Woolley area.

In both cases, PLU further committed (1) to operate a user-friendly website which would enable local residents of these communities to comment on programming and to receive extensive information about PLU's program services, and (2) to maintain a toll free telephone number for residents of these communities.

Similar efforts will be extended to Olympia, the community of license of KPLI, which will not need a waiver when operated by Friends. Subscription and or monitoring of The Olympian, the daily newspaper of the community, will be undertaken by Friends, and efforts to ascertain the needs of Olympia will be otherwise undertaken by Friends staff and management, and the website and telephone resources committed for other communities will be available to Olympia residents as well.

The Commission has repeatedly 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, provided that those operations satisfy the Section 73.1125 "public interest" standard. Indeed, when it adopted the current version of Section 73.1125 of its rules, the Commission explicitly found the continuing viability of service to be a factor warranting waiver of the main studio rule for noncommercial stations. See Report and Order in MM Docket 80-406, 2 FCC Rcd 3215, 3224, n.10 (1987) modified in part 65 RR2d 119, 125-26 (1988). In this way, it has granted numerous waivers of the main studio rule to permit satellite operations like that proposed herein by Friends. Accordingly, Friends requests that the Commission find pursuant to Section 73.1125(b)(2) of the rules that the public interest will be served by the proposed operation, which will enable Friends to maximize the quantity and quality of responsive programming to its communities of license.