

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

NOV 01 2002

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M. Wagner

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IN REPLY REFER TO  
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FCC - MAILROOM

Roger Lonnquist  
Hi-Line Radio Fellowship, Inc.  
P. O. Box 4218  
Helena, MT 59604

**In Re: KMCJ(FM), Colstrip, MT**  
Hi-Line Radio Fellowship, Inc.  
Facility ID No. 27117

License to Cover  
File No. BLED-20010928ACE

Request for Waiver of 47 C.F.R. § 73.1125  
(Main Studio Rule)

Dear Mr. Lonnquist:

The staff has under consideration: (1) the captioned application of Hi-Line Radio Fellowship, Inc. ("Hi-Line") for license to cover the modification authorization of station KMCJ(FM), Colstrip, Montana; and (2) a September 28, 2001 request for a waiver of the Commission's Main Studio Rule, Section 73.1125,<sup>1</sup> in order to operate station KMCJ(FM) as a "satellite" of commonly owned noncommercial educational ("NCE") station KXEI(FM), Havre, Montana.<sup>2</sup> For the reasons set forth below, we will waive Section 73.1125 and grant Hi-Line's application.

Main Studio Waiver. Pursuant to Section 73.1125(a), a broadcast station's main studio must be located either (1) within a station's community of license, (2) within the principal community contour of any other broadcast station licensed to its community, or

<sup>1</sup> AFA supplemented the waiver request on September 30, 2002.

<sup>2</sup> 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).

(3) within 25 miles of the center of its community of license.<sup>3</sup> However, under Section 73.1125(b)(2), the Commission will waive these requirements 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.<sup>4</sup> A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 “public interest” standard.<sup>5</sup>

Hi-Line’s request is based on the economies of scale, which would be realized by grant of its waiver. We agree and conclude that there is “good cause” to waive 47 C.F.R. Section 73.1125(a)(4) under these circumstances.

Hi-Line proposes to operate KMCJ(FM), Colstrip, Montana as a satellite station of KXEI(FM), Havre, Montana, approximately 233 miles from Colstrip . Where there is a great distance between the parent and satellite station, 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, Hi-Line has pledged to: (1) provide local news and information to Colstrip residents through its affiliation with the associated press news service; 2) broadcast public service announcements of events in the KMCJ(FM) listening area for any Colstrip area non-profit groups, which may be delivered to the main studio in Havre via toll-free telephone number, e-mail, or fax; (3) conduct quarterly ascertainment surveys of community needs and interests and continue meeting those needs to adequately serve the public interest; (4) maintain a public inspection file within the Colstrip, Montana community; and (5) maintain a toll-free telephone number, as required by Section 73.1125(d) of the rules.

In these circumstances, we are persuaded that Hi-Line will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind Hi-Line, however, of the requirement that it maintain a public file for the Colstrip, Montana station at the main studio of the “parent” station, KXEI(FM), Havre, Montana. It must also make reasonable accommodation for listeners wishing to examine the file’s contents.<sup>6</sup> We further remind Hi-Line that, notwithstanding the grant of the waiver requested here, the public file for KMCJ(FM) must contain the quarterly issues and programs list for Colstrip, Montana required by 47 C.F.R. Section 73.3527(e)(8).

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<sup>3</sup> See *Review of the Commission’s Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998), *recon.granted in part*, 14 FCC Rcd 11113(1999)(“*Reconsideration Order*”).

<sup>4</sup> *Id*

<sup>5</sup> *Id*

<sup>6</sup> See *Reconsideration Order*, 14 FCC Rcd at 11129, Paragraph 45.

License to cover Construction Permit. We have reviewed the license application (BLED-20010928ACE) to cover the modification of the existing facility for KMCJ(FM). We find that the application meets all pertinent technical requirements, that the facilities were constructed in accordance with the Commission authorization, and that the grant of the license application would further the public interest, convenience and necessity.

Accordingly, the license application (File No. BLED-20010928ACE) of Hi-Line Radio Fellowship, Inc. to cover the modification of facilities for station KMCJ(FM), Colstrip, Montana, as well as its request for waiver of 47 C.F.R. Section 73.1125, ARE GRANTED. The authorization is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter H. Doyle", with a long horizontal flourish extending to the right.

Peter H. Doyle, Chief  
Audio Division  
Media Bureau

Enclosure