

JPR FOUNDATION, INC.
Request for Waiver of "Main Studio" Rule for KTBR-FM
FCC Form 314
Section III, Item 11
Exhibit 20b

The JPR Foundation (JPRF) hereby requests a waiver of Section 73.1125(a)(1) of the Commission's Rules, to the extent necessary, in order to permit the operation of KTBR-FM on a noncommercial educational basis at Myrtle Point, OR as a satellite station with a main studio not located in the city of license. If granted KTBR-FM main studio would be located in the existing radio studio complex at 1250 Siskiyou Blvd., in Ashland OR, use of which is available at little cost to the applicant. As will be shown the applicant fully intends to fulfill its local service obligations to the Myrtle Point, OR community which is situated in Coos County. However, for the reasons set forth, the applicant believes that the public interest would be served by a waiver of the rule to permit the main studio to be located in Ashland OR. KTBR-FM is located 116 air miles from the proposed control point in Ashland OR.

The applicant is a nonprofit organization which supports public radio activities including those of Southern Oregon University's Jefferson Public Radio network. Through the applicant's twenty-five year history of assisting that organization, the applicant has gained wide experience in noncommercial radio and television broadcasting.

The applicant has determined that it would be financially infeasible to operate KTBR-FM on a noncommercial basis entirely from a main studio in Myrtle Point, OR. Rather, the applicant proposes to operate KTBR-FM from the existing studios in Ashland which the applicant believes enables the production of a program service, on a contracted basis, of higher quality than would otherwise be possible. The applicant intends to provide the public a broad-based cultural and information programming service drawing upon resources from National Public Radio, Public Radio International, the WFMT Fine Arts Network, and other established public radio program sources. The applicant believes that it would be financially prohibitive to staff a main studio in Myrtle Point, OR. Installing, operating and maintaining a studio in Myrtle Point, even with minimal staffing of 1 full-time employee available Monday-Friday at modest wage, would require the applicant to invest \$151,000 annually beyond transmission costs/programming costs already committed or \$3,020,000 over the twenty-year life of the loans which have been secured to finance the purchase of KTBR. These sums significantly exceed the predicted financial support which the applicant believes can be realized from this community of fewer than 3,000 persons in support of the KTBR-FM's non-commercial public radio operation.

In order to better ascertain the needs and interests of the Myrtle Point/Coos County area, the applicant will subscribe to the *Coos Bay World*, the County's only daily newspaper, and will make periodic visits to the Myrtle Point/Coos County area in an effort to understand and respond to the issues and concerns of the community. Moreover, the

applicant will assure that the news and cultural programming provided over KTBR-FM includes programming which includes contributions from Coos County. The applicant will continue its long and close association with individuals and institutions in Coos County for the purpose of assuring that programming from that area, which is responsive to those interests and needs, is developed and broadcast. In order to fulfill its local program service responsibilities, and based upon its quarterly ascertainment of community needs, JPRF intends to incorporate into KTBR-FM's news, public affairs and cultural programs programming of unique concern to the residents of Myrtle Point and Coos County. In addition the applicant will cover significant events, including cultural events, political campaigns and election results, in Myrtle Point and the immediate vicinity. JPRF will deploy personnel to cover the problems, needs and interests of the Myrtle Point/Coos County community and regularly consult with local civic and community leaders as part of its ongoing ascertainment efforts and take into account the findings of such ascertainment efforts in developing the applicant's news and public affairs programs. To facilitate listener input from the Myrtle Point/Coos County community, the applicant will maintain a web page which solicits public feedback on KTBR-FM's programming. In compliance with the Commission's recently revised Rules regarding the location of public files, JPRF will maintain the public inspection file at Ashland studios, and will establish a toll-free telephone number in order that Coos County residents may call the Ashland studios without incurring any toll charges and may request information from KTBR's public files. JPRF will also make available to Coos County listeners, upon request, a copy of the Commission's "The Public and Broadcasting" free of charge.

The Commission has on previous occasions waived the main studio rule for other noncommercial broadcast licensees. In Nebraska Educational Television Commission, 4 RR 2d 771 (1965) the Commission, recognizing the economic realities of public broadcasting, authorized operation of a statewide network of stations in order that public broadcasting service might be provided in the most cost-effective fashion.

The grant of this proposed station under the requested waiver will allow the provision of a new programming service for Myrtle Point on an economic basis which is supportable by the community's residents and by the applicant and which provides the greatest amount of public service at the lowest cost. In adopting the current version of Section 73.1125 of its rules, the Commission explicitly recognized the continuing viability of the public interest considerations which warrant the grant of waivers 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). The instant waiver request meets the good cause standard applied in previous cases and should therefore be granted.