



Federal Communications Commission  
Washington, D.C. 20554

DA 05-1720

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John Griffith Johnson, Esq.  
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875 15<sup>th</sup> Street, N.W.  
Washington, D.C. 20005

Re: WPSX-TV, WPSX-DT, Clearfield, PA  
Request for Waiver of Main Studio Rule  
Facility ID No. 66219

Dear Mr. Johnson:

This letter is in response to your request, filed on behalf of the Pennsylvania State University (University), licensee/permittee of noncommercial educational television stations WPSX-TV and WPSX-DT, Clearfield, Pennsylvania, for waiver of Section 73.1125(a) of the rules, the main studio rule.<sup>1</sup> For the reasons set forth below, we grant your request.

The University has been operating WPSX-TV since the early 1960's. At the time it received the authorization for WPSX-TV, the University sought and was granted a waiver of the main studio rule to permit the location of its main studio at the Wagner Building on the campus of the University in State College, Pennsylvania. The Wagner Building is located approximately 33 miles from the nearest corporate boundary of WPSX's city of license – Clearfield, Pennsylvania. As part of a planned relocation of the station's facilities, the new main studio would be located at 100 Innovation Boulevard in State College. This new location is a short distance (0.02 miles) closer to Clearfield.

In support of its request for waiver, the University notes that having its main studio near its campus has facilitated the operation of WPSX-TV and WPSX-DT using the University's "considerable resources." Were it required to locate the station's main studio in Clearfield, the University states that it would be a "hardship for the students and the staff who work at the Stations to have to travel from the campus to Clearfield for studio production and the training and course work that are currently part of the Stations' mission and the students' curriculum." The University also notes that it maintains a toll-free 800 telephone number for residents of Clearfield (as well as viewers throughout its service area) to call the station as required by Section 73.1125(e) of the rules. Finally, the University states that its advisory Board of

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<sup>1</sup> Section 73.1125(a) provides that each AM, FM and TV broadcast station shall maintain a main studio at one of the following locations: (1) within the station's community of license; (2) at any location within the principal community contour of any AM, FM or TV broadcast station licensed to the station's community of license, or (3) within twenty-five miles from the reference coordinates of the center of its community of license as described in § 73.208(a)(1).

Representatives, that provides suggestions and feedback to the station, includes a resident from Clearfield. The station also devotes “considerable resources towards generating programming that meets the needs and interests of Clearfield and surrounding rural areas.”

The Commission has previously granted noncommercial educational licensees waivers of the main studio rule under circumstances similar to those in this case.<sup>2</sup> In doing so, the Commission has recognized the realities of public broadcasting funding and the ongoing problems of educational licensees in raising the necessary funds to expand and provide noncommercial educational programming to as many viewers as possible.<sup>3</sup> We find that the savings realized from not having to maintain a main studio in Clearfield can be better utilized to assist WPSX-TV and WPSX-DT with providing quality programming and educational opportunities for the University’s students.

Wherefore, the above facts considered, the Pennsylvania State University’s request for waiver of Section 73.1125(a) of the rules for WPSX-TV and WPSX-DT, Clearfield, Pennsylvania, IS GRANTED.

Sincerely,

Barbara A. Kreisman  
Chief, Video Division  
Media Bureau

cc: Mr. David F. Marshall – Assistant Treasurer – the Pennsylvania

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<sup>2</sup> See, e.g., *Cedarville College*, 6 FCC Rcd 538 (1991); *Sound of Life, Inc.*, 4 FCC Rcd 8273 (1989); *Nebraska Educational Television Commission*, 4 RR 2d 771 (1965).

<sup>3</sup> *Id.*