

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

OCT 16 1998

IN REPLY REFER TO:
1800B3-ALM

DISPATCH

Todd M. Stansbury, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D. C. 20006

Re: Modification of Facilities of KGAC(FM), Saint Peter, MN (BPED-970203IC)

Dear Mr. Stansbury:

The staff has under consideration the application of Minnesota Public Radio ("MPR") to modify the facilities of noncommercial educational ("NCE") FM station KGAC(FM), Saint Peter, Minnesota (File No. BPED-970203IC). The application requests waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125,¹ in order to operate the Saint Peter station as a satellite of its NCE station KSJN(FM), Minneapolis, Minnesota. For the reasons set forth below, we shall grant MPR's application and its request for waiver.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. *Amendment of Sections 73.1125 and 73.1130*, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement 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. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

MPR'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. § 73.1125(a)(4) in these circumstances. MPR proposes to operate KGAC(FM), Saint Peter, as a satellite of KSJN(FM), Minneapolis, Minnesota, approximately 50 miles from Saint Peter. Where there is a great distance between parent and satellite stations, 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, MPR has pledged to: (1) continue

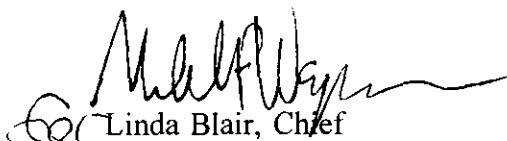
¹In relevant part, Section 73.1125 requires each broadcast station to maintain a main studio within the station's principal community contour.

its policy that residents of each service area participate on a regional advisory council which provides input to management on programming issues of interest to the residents throughout MPR's service area, including Saint Peter; (2) continue its existing relationship with the community of Saint Peter which has been established by means of membership in KGAC(FM); (3) solicit comments from MPR members in Saint Peter concerning programming and station operation; (4) maintain a local news reporter in Saint Peter who will produce and broadcast local inserts of interest to Saint Peter and who will subscribe to local and area publications and maintain ongoing relationships with community residents and leaders, who will be periodically contacted regarding local events and developments; (5) maintain a toll-free telephone number for residents of Saint Peter to contact MPR management in accordance with 47 C.F.R. § 73.1125(c); and (6) operate a site on the World Wide Web which enables local residents to receive extensive information and comment on MPR's programming.

In granting a waiver of 47 C.F.R. § 73.1125(a), the Commission has required the licensee of a satellite station to maintain the satellite station's public inspection file in the community of license and in adopting modifications to its main studio and public inspection file rules, the Commission stated that it was not altering its standards or practices with respect to noncommercial educational stations proposing satellite operations. *See Report and Order* in MM Docket No. 97-131, 13 FCC Red 15691, 15695, n. 18 (1998). Accordingly, we shall expect MPR to maintain the public inspection file of KGAC(FM) in Saint Peter. In these circumstances, we are persuaded that MPR will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Minnesota Public Radio to modify the facilities of KGAC(FM), St. Peter, Minnesota (File No. BPED-970203IC) and its request for waiver of 47 C.F.R. § 73.1125 to permit KGAC(FM) to operate as a satellite station of KSJN(FM), Minneapolis, Minnesota ARE HEREBY GRANTED.

Sincerely,


Linda Blair, Chief
Audio Services Division
Mass Media Bureau