

MAIN STUDIO WAIVER REQUEST

Northern Kentucky University ("NKU") hereby requests a waiver of Section 73.1125(a)(3) of the Commission's Rules, to the extent necessary in order to permit the operation of the acquired three stations as satellite stations, with a main studio not located in the city of license. If granted the three stations will rebroadcast, WNKU(FM) Highland Heights, KY., and operate as a part of a network of radio stations operated by the NKU, with studios at WNKU's main studio address at the Highland Heights, KY campus. As will be shown, NKU fully intends to fulfill its local service obligations to the communities of license. However, for the reasons set forth, NKU believes that the public interest would be served by a waiver of the main studio rule.

NKU operates an existing public radio station, and a translator, providing a variety of public radio program services. These stations broadcast program offerings from National Public Radio, Associated Press, WFMT Radio Networks, PRX and mainly local generated news, public affairs and music programming.

Based upon its experience as a Commission licensee, NKU has determined that it would be financially infeasible to operate the acquired stations on a noncommercial basis from the cities of license. Rather, NKU proposes to operate the acquired stations from its existing main studio facility, which would enable the production of a program service of higher quality than would otherwise be possible. WNKU has a significant professional staff and budget, which allows the production of programming developed from the numerous communities which NKU serves. With all its resources based at NKU, it is unlikely that any local studio, minimally staffed, could produce a program service with breadth or quality comparable to that which it is possible to produce from WNKU's existing main studio. News broadcasting is a particularly good example of a program service in which stringers, volunteers and program contributors from all areas, including the cities of license, can help produce a wide-ranging news program which covers the issues of concern of this area. NKU will continue its long and close associations with individuals and institutions in the cities of license for the purpose of developing and producing programming from that area which is responsive to those interests and needs. WNKU is already executing outreach efforts to identify key sources of news and culture with the boundaries of the new service.

In order to better ascertain the needs and interests of the cities of license and their listening areas, NKU will subscribe to local newspapers serving the cities of license, and will make quarterly visits to the cities of license in an effort to understand and respond to the issues and concerns of the communities.

Community Efforts

NKU demonstrates its commitment to an understanding of local broadcast needs in a variety of ways. Among the efforts that currently take place are the following:

- A user-friendly mailbox will be publicized as a way to contact WNKU staff with programming questions, concerns, and suggestions. This mailbox will be monitored daily by the WNKU Station Manager.
- The organization will conduct regular Community Gathering meetings in communities throughout the listening community. These meetings will be attended by senior staff and will be focused on receiving input from local communities of license.

In order to fulfill its local program service responsibilities, and based upon its ascertainment of community needs, NKU intends to incorporate into its news, public affairs and informational programs programming of unique concern to the residents of the cities of license. In addition NKU will cover significant events, including cultural events, political campaigns and election results, in the cities of license and the immediate vicinity.

The Assignee will deploy personnel to cover the problems, needs and interests of the cities of license 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 Assignee's news and public affairs programs. To facilitate listener input from the cities of license, WNKU will maintain a web page which solicits public feedback on Assignee's programming. In compliance with the Commission's rules regarding the location of public files, the Assignee will maintain the public inspection file at its main studio location and has established a toll-free telephone number so residents from the cities of license may call WNKU's main studio, without incurring any toll charges, and may request information from the Assignee's public files.

WNKU will also make available to all listeners, upon request, a copy of the Commission's "The Public and Broadcasting" free of charge. The grant of the proposed assignments, under the requested waiver, will enable provision of a new programming service to the cities of license on an economic basis which is supportable by the community's residents, and by NKU, 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 publicly 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.

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 public broadcasting, authorized operation of a statewide network of stations, in order that public broadcasting service, might be provided in a cost-effective fashion.