

Mike Wagner
2-B450

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554
January 31, 2002

IN REPLY REFER TO:
1800B3-RAB

A. Wray Fitch III, Esquire
Gammon & Grange, P.C.
Seventh Floor
8280 Greensboro Drive
McLean, Virginia 22102-3807

RECEIVED

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FCC MAIL ROOM

In Re: WRTP-FM, Roanoke Rapids, NC
Radio Training Network, Inc.
Facility ID No. 2468
Request for Waiver of 47 C.F.R. § 73.1125

Dear Mr. Fitch:

The staff has under consideration the above-referenced request for a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125, made by Radio Training Network, Inc. ("RTN"). RTN seeks a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125, in order to operate WRTP-FM as a satellite of commonly owned noncommercial educational ("NCE") station WLFJ-FM, Greenville, South Carolina.¹ For the reasons set forth below, we will waive Section 73.1125 and grant RTN's request.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community. See Report and Order, Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast television and radio stations, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11,113(1999) ("*Reconsideration Order*"). 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

¹ 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).

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.*

RTN'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) under these circumstances.

RTN proposes to operate WRTP-FM, Roanoke Rapids, North Carolina as a satellite of station WLFJ-FM, Greenville, South Carolina, approximately 300 miles from Roanoke Rapids. Where there is a great distance between the parent and satellite station, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, RTN has pledged to: (1) maintain the station public file in Roanoke Rapids, the community of license; (2) maintain a toll-free telephone number between Roanoke Rapids and the WLFJ-FM main studio; (3) provide periodic local programming for Roanoke Rapids residents, including coverage of significant local news or cultural events; (4) conduct interviews with residents and community leaders to assess community needs and programming; and (5) establish a community advisory board containing of at least one resident of Roanoke Rapids, whereby this board will provide input and recommendations on community needs and programming.

In these circumstances, we are persuaded that RTN will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind RTN that, notwithstanding its proposal to maintain a copy of the public file at the Roanoke Rapids production facility, it must maintain a public file for the Roanoke Rapids station at the main studio of the "parent" station, WLFJ-FM, Greenville, South Carolina. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *See Reconsideration Order*, 14 FCC Rcd 11,113, 11,129 at ¶45. We further remind RTN that, notwithstanding the grant of the waiver requested here, the public file for WRTP-FM must contain the quarterly issues and programs list for Roanoke Rapids, North Carolina required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the request made by Radio Training Network, Inc. for waiver of 47 C.F.R. § 73.1125 IS GRANTED.

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 Services Division
Mass Media Bureau