

### *Main Studio Waiver Request*

First Dallas Media, Inc. (“FDM”), the licensee of FM station KCRN-FM, San Angelo, Texas (Fac. Id. 14517) hereby requests a waiver of Section 73.1125 of the Commission’s rules (“the Main Studio Rule”). This request is submitted concurrently with FDM’s application to convert KCRN-FM from commercial to non-commercial educational (“NCE”) status. The waiver is sought to permit FDM to locate KCRN-FM’s main studio approximately 216 miles away in Arlington, Texas at the main studios for FDM’s station KCBI(FM), Dallas, Texas, Fac. Id. 14524. In making this waiver request, we are providing the Commission with information appropriate for a finding of “good cause” and that the grant of the waiver in this circumstance will be, pursuant to Section 73.1125(b)(2), “...consistent with the operation of the station in the public interest.”

FDM proposes to operate KCRN-FM from a location in Arlington, Texas, specifically 411 Ryan Plaza Drive, Arlington, Texas, the main studio for FDM’s other station KCBI. This location is only 216.7 miles away from the designated reference coordinates for the licensed community of San Angelo, Texas. The co-location of the main studios will generate valuable economies of scale and cost savings allowing FDM to maintain high quality non-commercial educational programming in San Angelo. Maintaining a staff and studio location separate from KCBI is placing a serious financial burden on FDM and diverting limited resources away from the stations.

FDM will have frequent contact and work closely with an established network of individuals in the San Angelo community who share FDM’s values. This ongoing and open channel of communication will act as a bridge between the San Angelo community and FDM’s programming personnel. These individuals will be charged with assisting FDM personnel in determining the needs, problems and concerns of San Angelo listeners. FDM will maintain a toll-free telephone number as required by Section 73.1125(e) of the Commission’s rules. Although a public interest inspection file for KCRN-FM will be maintained at KCBI’s main studio location in Arlington, FDM commits to make reasonable accommodation to listeners wishing to examine the public inspection file.

The Commission traditionally considers waiver requests by NCE stations on a case-by-case basis.<sup>1</sup> For non-commercial waiver requests, the Commission has expressly found “good cause” to exist in numerous instances based solely on a showing that centralized operations will provide economic benefit to non-commercial stations, provided that the local service obligations are met.<sup>2</sup>

Although this request seeks a waiver to locate the main studio for KCRN-FM approximately 195 miles outside of the 25-mile radius in the main studio rule, such distances

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<sup>1</sup> See *Main Studio and Program Origination Rules*, 3 FCC Rcd 5024 (1988); *Review of the Commission’s Rules Regarding Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691, 15694 n.18 (1998).

<sup>2</sup> See *Letter to Roy R. Russo, Esq.*, dated January 24, 1994; *Letter to Richard J. Bordoff*, dated January 2, 1992; *The President of the Board of Trustees of Miami University*, 7 FCC Rcd 2902 (1992); *The Cedarville College*, 6 FCC Rcd 538 (1991).

beyond the 25-mile radius are not unusual for NCE radio stations which have been granted main studio waiver. In fact, some grants have permitted the main studio to be located more than 1,000 miles away.<sup>3</sup>

As set forth above, good cause exists for the waiver of the main studio rule. Further, allowing the focusing of FDM's resources on one main studio will allow FDM to provide more and enhanced programming to better serve the public interest. This distance waiver is fully "consistent with the operation of the station in the public interest."<sup>4</sup>

FDM requests that the Commission find, pursuant to Section 73.1125(b)(2) of its rules, that the public interest will be served by the location of KCRN-FM's main studio in Dallas and authorize FDM to locate KCRN-FM's main studio outside the station's principal community contour, outside the contour of any other broadcast station licensed to San Angelo, Texas and more than 25 miles from the reference coordinates of the center of San Angelo, Texas.

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<sup>3</sup> See FM radio stations WKVF, Byhalia, MS (formerly WYLT); KXLV, Amarillo, Texas (formerly KLMN); and KLRO, Hot Springs, AR (formerly KSBC).

<sup>4</sup> See *Report and Order, Review of the Commission's Rules Regarding Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998); recon granted in part, 14 FCC Rcd 11113 (1999).