

**Request for Waiver of the Main Studio Rule - Section 73.1125
KBTD(FM), Freer, TX (FIN: 174994)**

The Worship Center of Kingsville (“TWCK”), the permittee of non-commercial educational FM broadcast station KBTD (FM), Freer, TX (Facility ID 174994) (the “Station”), hereby respectfully requests a waiver of the Main Studio Rule, 47 C.F.R. § 73.1125, with respect to its proposed operation of the Station. TWCK respectfully requests Commission authorization to operate the Station as a satellite of noncommercial educational broadcast station KDAE, Sinton, TX (Facility ID 63346) and to co-locate the KBTD Main Studio at KDAE’s Main Studio located at 929 North Padre Island Dr. in Corpus Christi, TX.

Commission precedent and good cause support the requested waiver and it would be in the public interest for the Commission to grant this request. TWCK intends to deliver its signal from its KDAE studio in Corpus Christi, TX, approximately 80 miles from Freer. TWCK anticipates linking the Station to its network through a combination of microwave links and data lines.

Under Section 73.1125 of the Commission’s rules, a broadcast station must maintain its main studio: (a) within the station's community of license; (b) at a location within the principal community contour of any AM, FM, or TV broadcast station licensed to the station's community of license; or (c) within 25 miles from the reference coordinates of the center of the station’s community of license, except when "good cause" exists for locating the main studio at an alternate location. The Commission traditionally considers waiver requests by noncommercial educational broadcast stations

on a case-by-case basis.¹ In the context of waiver requests for noncommercial educational broadcast stations, the Commission has expressly and implicitly found "good cause" to exist in numerous instances based solely upon a showing that centralized operations will provide an economic benefit to noncommercial educational broadcast stations, which have limited funding, provided that local service obligations are met.²

Limited funding and economies of scale exist in this case and thus warrant a grant of the requested waiver. TWCK is a Texas not-for-profit corporation. As the Commission is aware, there are substantial costs associated with the construction, operation and maintenance of a main studio, including those attributable to equipment purchases, personnel wages, and facility rent and utilities. Because TWCK intends to originate the vast majority of the Station's programming from its KDAE studio, virtually all of these costs can be saved if TWCK's requested waiver is granted. TWCK proposes to use these cost savings to more fully equip and staff its KDAE studio broadcast production facility, where senior TWCK management and experienced staff personnel will be available. This will allow TWCK to attain the economies of scale and cost savings necessary to maintain the high quality of its noncommercial educational programming.

¹ See *Main Studio and Program Origination Rules*, 3 FCC Rcd 5024 (1988); see also *Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691, 15695 n.18 (1998).

² See e.g., *Letter to Jeffrey D. Southmayd, Esq.*, dated December 10, 2002; *Letter to Roy R. Russo, Esq.*, dated January 24, 1994; *Letter to Richard J. Bodorff*, dated January 2, 1992; *The President and Board of Trustees of the Miami University*, 7 FCC Rcd 2902 (1992); *The Cedarville College*, 6 FCC Rcd 538 (1991); *Letter to Gerald Stevens-Kittner, Esq.*, dated July 15, 1991; *Sound of Life, Inc.*, 4 FCC Rcd 8273 (1989); *Lift Him Up Outreach Ministries, Inc.*, 3 FCC Rcd 5571 (1988); *Georgia State Board of Education*, 70 F.C.C.2d 948 (1979), *recon. denied*, 71 F.C.C.2d 227 (1979); *Nebraska Educational Television Comm'n*, 4 R.R.2d 771 (1965).

It is unlikely that the population of city of Freer would be able to support the cost not only of the ongoing broadcasting expenses, but also a full studio. The city of Freer, as of the 2010 census, had a population of only 2,818. These figures indicate that there are limited local resources to provide the type of financial assistance crucial to a noncommercial educational broadcast station dependent on contributions.

TWCK is aware of the Station's local service obligations and has developed a plan to allow it to determine the local needs of the Freer community and to respond to those needs. Specifically, TWCK proposes to take the following steps in order to ensure that it ascertains and responds to the problems, needs and interests of the local community:

- solicit local volunteers to assist TWCK in ascertaining issues of local importance and providing programming that addresses the needs and interests of the Freer community;
- provide programming targeted to Freer, including coverage of significant local news or cultural events;
- ascertain the needs and interests of the Freer community on an on-going informal basis using local volunteers and will conduct formal ascertainment at least once annually to ensure that the station is providing adequate coverage of issues of local importance and is providing programming that addresses the needs and interests of the Freer community;
- broadcast public service announcements of local interest provided by national, state and local organizations;
- announce on-air a website which will allow for the placement of comments from its listeners concerning community Freer a toll-free telephone number in compliance with Section 73.1125(e) of the Commission's Rules; and
- in accordance with Commission requirements, establish and maintain a duplicate public file in Freer, which will be updated when new material is added to the public file at the KDAE studio.