

Amendment: Request for Waiver of Rule 73.1125
(Main Studio Requirement)

As the Commission's records reflect, Public Broadcasting of Colorado, Inc. ("Colorado Public Radio" or "CPR") recently exchanged its authorization for the frequency 88.1 MHz at Glenwood Springs, CO. with Carbondale Community Access Radio, Inc.'s ("CCAR's") authorization for the frequency 90.5 MHz licensed to Carbondale, CO. (The two entities also exchanged call signs such that KDNK, formerly the call sign for 90.5 MHz, has now been assigned to 88.1 MHz, and KVOV, the call sign formerly assigned to 88.1 MHz, has been assigned to 90.5 MHz.) The exchange was accomplished pursuant to Commission approval in File Nos. BALED-20040819ACD and BAPED-20040820AAB.

When it first filed for a construction permit for the frequency 88.1 MHz, CPR requested and received from the Commission a waiver of the main studio Rule for the proposed new station. See File No. BPED-19970924MH. In particular, CPR proposed to operate 88.1 MHz as a satellite of Station KVOD (NCE-FM), Denver. CCAR, on the other hand, operated 90.5 MHz with a main studio, and hence had no such waiver. Since CPR intends to operate on 90.5 MHz exactly as it would have operated 88.1 MHz, it requires a main studio waiver for 90.5 MHz. A request for Special Temporary Authority to operate without a main studio was filed November 15, 2004. The instant amendment is being filed in order to secure a permanent waiver.

Good cause exists for a grant of this request. The Commission has already once granted CPR a main studio waiver for this facility. As stated in support of its earlier request, CPR will undertake steps to ascertain the problems, needs and interests of the listening area on a regular basis. It will devote a portion of Colorado Public Radio's news, public affairs and information programming to those problems, needs and interests. It will assign news personnel and/or retain local reporters to cover local issues. It will maintain a toll-free telephone number in the area. Finally, it will maintain a public inspection file in accordance with Commission Rules and policies as specified in the earlier waiver.

Accordingly, for the foregoing reasons, the license to be granted pursuant to this application should contain a main studio waiver.