

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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DISPATCHED BY

Wayne Coy, Jr., Esq.  
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1333 New Hampshire Avenue, N.W.  
Washington, D. C. 20036-1573

In re: NEW, Panama City, Florida  
Board of Regents of Florida Acting  
for and on Behalf of Florida State  
University  
File No. BPED-900112ME

Dear Mr. Coy:

This is in reference to the subject application filed by the Board of Regents of the State of Florida Acting for and on Behalf of Florida State University ("Florida State University") for a new noncommercial, educational FM station in Panama City, Florida. The applicant seeks a waiver of 47 C.F.R. § 73.1125(a) (4) to operate its proposed Panama City facility as a satellite station of commonly owned station WFSU-FM, Tallahassee, Florida.

In order to ensure that local issues in Panama City will be met, Florida State University has agreed to undertake the following:

1. Hold an annual meeting in Panama City to permit members of that community to advise Florida State University of their needs and concerns.
2. The Associate Dean of Florida State University's Panama City Branch resides in Panama City. He serves on the advisory Committee for the Public Broadcasting Center. Florida State University will continue to make sure that at least one resident of Panama City serves in an advisory capacity for the Public Broadcasting Center.
3. Local production facilities have been established in Panama City for use in conjunctions with Florida State University's existing stations WFSG(TV) and WFSU-FM. These facilities will be utilized in connection with the new Panama City FM station once it is operational.
4. Florida State University will create programming geared to the cultural and political activities in Panama City which will be broadcast by originating station WFSU-FM and rebroadcast by the Panama City station.

5. Florida State University currently has a news stringer assigned to Panama City in connection with its operation of WFSG(TV) and WFSU-FM. The news stringer's services will also be utilized in connection with the new Panama City station.


6. Maintain a toll-free telephone number for the communities served by the Panama City station to the station's management in Tallahassee.

A "satellite" station has been defined by the Commission as one "operating on a channel specified in the ... Table of Assignments and meeting all of the technical requirements of our rules, but one which usually originates no local programming ... It rebroadcasts the programming of the parent station." Multiple Ownership Rules, 3 RR 2d 1554, 1562 (1964). Satellite stations involve deviations from such Commission regulations as station main studio locations (Section 73.1125).

The Commission has stated that "we have recognized the benefits of centralized operations for noncommercial educational stations, given the limited funding available to these stations, and we have granted waivers to state and regional public television and radio networks to operate 'satellite' stations that do not necessarily meet the requirements of a main studio. These stations, however, have not been permitted to ignore local service obligations, and waivers generally have been granted only upon a showing that the local community would be served." Memorandum Opinion and Order in MM Docket No. 86-406, 3 FCC Rcd 5024 (1988). Thus, local needs should be met by this applicant.

We have determined that Florida State University has established that its centrally programmed simultaneous schedule will serve the problems, needs and interests of Panama City, Florida. Accordingly, 47 C.F.R. § 73.1125(a) (4) IS HEREBY WAIVED to the extent indicated hereinabove. The construction permit authorization will follow under separate cover.

Sincerely,

  
Dennis Williams  
Chief, FM Branch  
Audio Services Division  
Mass Media Bureau