

## **EXHIBIT 13**

### **Request for Waiver of Main Studio Location Rule**

New NCE FM station, Kaycee, Wyoming.

The University of Wyoming requests a waiver of Section 73.1125 of the FCC's Rules for a new noncommercial educational FM station in Kaycee, Wyoming (the "Station") to allow the University of Wyoming to operate the Station as a satellite of the University of Wyoming's NCE station KUWR, with a main studio on the campus of University of Wyoming in Laramie, Wyoming.

### **Background**

The University of Wyoming is the licensee of noncommercial radio station KUWR in Laramie, Wyoming. The Station will operate as a complete repeater of KUWR, re-broadcasting 100% of the KUWR programming.

The University of Wyoming is an official entity of the State of Wyoming as an institution of higher education. The University of Wyoming has a long history in the area of public broadcasting. Its KUWR was the first NCE station in Wyoming licensed in 1966 and one of 90 stations nationally to broadcast National Public Radio's first program, *All Things Considered* in 1970.

The mission of the University of Wyoming has been to promote education and deliver vital information to all people living within the state. The University of Wyoming has an Outreach School dedicated to serving non-campus students and adult learners, and has its own academic Dean. The Outreach School's broadcast service is Wyoming Public Radio which both operates licenses held by the University of Wyoming and generates programs consistent with public needs. Moreover, Wyoming Public Radio is a member in good standing with National Public Radio, and partners with other public radio producers and organizations to enrich its program offerings.

Wyoming Public Radio has a main studio located at Knight Hall on the campus of the University of Wyoming. Use of this facility as the main studio for the Station will serve the public interest because it will allow the University of Wyoming to conserve valuable resources while providing high quality public radio programming that the Kaycee community might not otherwise be able to enjoy. Moreover, as demonstrated below, Wyoming Public Radio will undertake appropriate effort and establish appropriate practices in order to ascertain the needs and concerns of the Kaycee community and respond to those issues through its programming.

### **Justification**

The University of Wyoming submits that operation of the Station as a satellite of KUWR and without a separate main studio in Kaycee, Wyoming will serve the public interest. Permitting the University of Wyoming to operate the Station from the existing main studio of KUWR will allow it to provide the highest quality and quantity of public radio offerings to the

Kaycee community. The Commission has stated that “[w]e 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,”<sup>1</sup> subject to a showing of good cause.

In this case, there are significant public interest gains that will result from co-location of studio facilities. Specifically, a main studio waiver is justified because it will allow the University of Wyoming to conserve valuable state financial resources and eliminate the need for unnecessary duplication of equipment and personnel. Conservation of resources is vitally important for educational institutions such as the University of Wyoming. Furthermore, the University of Wyoming’s pursuit of a waiver in this case is prompted by its desire to provide its high quality educational programming services to rural areas of the state that otherwise lacks the economic wherewithal to support such a technical radio service. Finally, the University of Wyoming has existing ties to Kaycee through its Outreach and Extension programs which, combined with the University of Wyoming’s commitment to serve the educational needs of all Wyoming residents, will ensure that the Station serves the needs of its community of license despite the lack of a local main studio.

Co-locating the main studio for the Station with KUWR in Laramie will also allow Wyoming Public Radio to fulfill its educational mission in a manner consistent with the realities of the public broadcasting funding situation. The University of Wyoming is the only public higher education facility in Wyoming and is dependent upon the State of Wyoming to provide its operating revenues. Consequently, it is vitally important for the University of Wyoming to conserve financial resources wherever possible, as each extra expense in any area of operation means fewer resources available for other mandated programs.

By eliminating the need for duplicative studio, personnel, and administrative costs, a consolidated main studio operation in Laramie will enhance Wyoming Public Radio’s capability to provide quality national and local public radio programming to listeners throughout the Kaycee community. Without this mode of operation, it would be difficult for the University of Wyoming to both maintain a separate local studio and generate appropriate programming. Wyoming Public Radio already utilizes its University of Wyoming campus located facility as a recording studio and production space for KUWR. Thus allowing the Station to take advantage of the administrative and technical facilities currently on-hand in Laramie will be of particular benefit to Kaycee in receiving public radio services in a cost-conscious manner.

The grant of a main studio waiver will also not have an adverse effect on the ability of the University of Wyoming to ascertain the needs of the community and address them through its programming:

1. The community is within the State of Wyoming and has concrete ties with its only university through students, alumni, and its Outreach School and Extension Office.

---

<sup>1</sup> See *In re Main Studio and Program Origination Rules for Radio and Television and Television Broadcast Stations*, Memorandum Opinion and Order, 3 FCC Rcd 5024 (1988).

2. The residents of the community will be able to contact Wyoming Public Radio studios via an active toll-free telephone number directly, 800-729-5897 (within Wyoming)
3. Wyoming Public Radio has a staff of reporters and stringers across the state and sends reporters out from its Laramie studio to cover news events.
4. Wyoming Public Radio maintains an up-to-date website at [www.WyomingPublicRadio.net](http://www.WyomingPublicRadio.net) which enables listeners to comment on programming via e-mail and obtain information about network schedules.
5. Wyoming Public Radio website also provides an interactive community calendar that allow individuals and organizations to submit information about events.
6. Wyoming Public Radio has a membership program that includes periodic e-mail newsletters.
7. Wyoming Public Radio will maintain a subscription to the newspaper that covers this community, the Buffalo Bulletin.

These efforts will help the University of Wyoming, as licensee of the Station, to select programming that is responsive to the needs of the community. Wyoming Public Radio produces daily news and its “Open Spaces” program specifically to address issues of local concern. As a member of NPR, Wyoming Public Radio relays news and programs such as Morning Edition, Talk of the Nation, and All Things Considered. The University of Wyoming is mandated to serve this community and will not fail in its purpose, using facilities based at its campus in Laramie, Wyoming.

Accordingly, the University of Wyoming respectfully requests waiver of Section 73.1125 of the Commission rules to locate the main studio for the Station in Laramie, Wyoming. The University of Wyoming submits that the public interest will be served by authorizing the Station as a satellite without local main studio, as part of the consolidated operation of Wyoming Public Radio from hub station KUWR.