

REQUEST FOR WAIVER OF SECTION 73.1125
OF THE COMMISSION'S RULES

Houston Christian Broadcasters, Inc. ("HCBI") hereby respectfully requests a waiver of the requirements of Section 73.1125 of the Commission's rules¹ to allow for the operation of its new noncommercial, educational FM station, 97.114MA², at Bloomington, Texas, as a satellite station of noncommercial station KHCB-FM, Houston, Texas, and with its main studio located outside the principal grade contour of the proposed station. In support of this request, the following is submitted for the consideration of the Commission.

HCBI is a non-profit, educational broadcaster located in Houston, Texas, and is the Commission licensee of a group of noncommercial broadcast stations and FM translators, including KHCB-FM. The Commission has granted satellite operation waivers for other HCBI stations located in Texas and Louisiana. Cf. KHCL, Arcadia, Louisiana, and KHKV, Kerrville, Texas.

In operating 97.114MA as a satellite of KHCB-FM, HCBI will ascertain the problems, needs and interests of the local community through a local citizen's advisory board consisting of residents of Bloomington, Texas, and will address these through its programming on the station. The ascertainment by the local board will be supplemented by efforts undertaken by a local HCBI representative in Bloomington, Texas, and through annual visits to the community by a management employee at KHCB-FM. In addition,

¹ 47 C.F.R. 1125.

HCBI will maintain a toll-free telephone number for the use of residents in Bloomington, Texas, to reach the KHCB-FM studios and will maintain a public inspection file for the station at a location in Bloomington, Texas.

HCBI will establish the citizen's advisory board, made up of residents of the community of Bloomington, Texas, once the station commences operation. The board will meet periodically on conference calls with a management employee of KHCB-FM to discuss the local issues of public concern facing the community. At least one in-person meeting will be held each year and will be open to members of the public to attend and participate in the discussions. Such meetings will be the subject of numerous announcements on the station for at least one week prior to the meetings and will disclose the time and location of the meetings. HCBI will also include news insertions in its local broadcasts on KHCB-FM to include segments regarding events in Bloomington, Texas. KHCB-FM and the station will periodically broadcast public affairs programming responsive to the local issues of public concern ascertained by HCBI in connection with its local information gathering efforts. HCBI will also broadcast local weather for the Bloomington, Texas area on the station.

The Commission has defined a satellite station as one that operates on a normal FM channel and which meets all of the technical requirements of the Commission's rules, but one which usually originates no local programming. Rather, the satellite station traditionally rebroadcasts the programming of a parent station.³ Satellite stations involve

² HCBI is in the process of requesting a call sign for the station.

³ See, Multiple Ownership Rules, 3 RR 2d 1562 (1964). This includes EAS

operating deviations from the Commission's regulations, including the main studio rule.⁴

However, the Commission has in the past recognized the benefits of centralized operation for noncommercial, educational stations and has granted waivers to state and regional networks, such as HCBI, to operate satellite stations that do not meet the requirements of the main studio rule. This has been particularly true where, as here, the proposed satellite station is located within the same state as the station it will rebroadcast.

HCBI requests such a waiver for the station at Bloomington, Texas. The station will primarily rebroadcast the programming broadcast on KHCB-FM. However, it will also ascertain, and present programming to address, the local problems, needs and interests of the Bloomington, Texas, community on the station. Based on such a commitment, and the facts noted herein, the Commission has historically granted waivers of the main studio rule to allow for the satellite operation of a noncommercial FM station operated by a noncommercial licensee. See, Memorandum Opinion And Order, in MM Docket 86-406, 3 FCC Rcd 5024 (1988). See also FCC files BPED-920331MB and BPED-910722MB for main studio waivers granted for satellite stations under the similar circumstances.

announcements and the requirements of Part 11 of Section 47 of the Code of Federal Regulations being monitored at the parent station.

⁴ 47 C.F.R. 73.1125.