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**FEDERAL COMMUNICATIONS COMMISSION**  
**WASHINGTON, D. C. 20554**

DEC 03 2003

IN REPLY REFER TO:  
1800B3-ALM

Alan C. Campbell, Esquire  
Irwin, Campbell & Tannenwald, P.C.  
1730 Rhode Island Avenue, N.W.  
Suite 200  
Washington, D. C. 20036

FCC - MAILROOM

DEC - 4 2003

RECEIVED & INSPECTED

**In re: KFRP(FM), Coalinga, CA**  
Facility ID No. 89308  
Family Stations, Inc.  
Request For Waiver of The  
Commission's Main Studio  
Rule (Section 73.1125)

Dear Mr. Campbell:

The staff has under consideration the Family Stations, Inc. ("Family") June 10, 2003 request<sup>1</sup> for a waiver of the Commission's main studio requirement, 47 C.F.R. Section 73.1125, in order to operate KFRP(FM), Coalinga, California, as a satellite of its commonly owned noncommercial educational ("NCE") station, KEDR(FM), Sacramento, California.<sup>2</sup> Family states that it originally proposed to construct a main studio in Coalinga, California, in an application which was filed in December 1997. However, in February 1999, Family sought a waiver of the Commission's main studio rule, on a network-wide basis, for its existing stations. This request remained pending at the time the construction permit for KFRP(FM) was granted on November 26, 2002, and Family felt that it was appropriate to wait and see if the network-wide waiver request was granted and, if so, under what conditions before requesting a waiver for the KFRP(FM) main studio. The Commission granted the network-wide waiver in September 2002 and the current waiver request was filed on June 10, 2003.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast

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<sup>1</sup> Supplements to Family's request were filed on July 15, 2003, September 26, 2003, and November 12, 2003.

<sup>2</sup> A "satellite" station meets all of the Commission's technical rules, however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, *Memorandum Opinion and Order*, 3 RR2d 1554, 1562 (1964).

station licensed to its community, or (3) within 25 miles of the center of its community<sup>3</sup>. However, under Section 73.1125(b)(2), the Commission will waive these requirements where "good cause" exists to do so and where the proposed studio location "would be consistent with the operation of the station in the public interest." Each waiver request by an NCE station seeking to operate as the satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus found "good cause" exists to waive the main studio location requirement where satellite operations are proposed.<sup>4</sup> A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.<sup>5</sup>

Family proposes to operate KFRP(FM), Coalinga, California, as a satellite station of KEDR(FM), Sacramento, California, approximately 178 miles from Coalinga. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, the staff of Family has pledged to engage in a quarterly ascertainment of the community needs and interests of Coalinga by: (1) maintaining regular contact with part time employees and volunteers who live in Coalinga; (2) traveling to Coalinga on a regular basis to strengthen community contacts; (3) subscribing to the local newspaper, the *Coalinga Record*; (4) airing a minimum of 45 minutes per week of local Public Affairs programming as determined by its ascertainment efforts; (5) maintaining program origination capability at the KFRP(FM) transmitter in order to be able to directly originate and broadcast programming; (6) maintaining a duplicate public inspection file for KFRP(FM) in Coalinga; (7) responding to mail sent to KFRP(FM) at the parent station; (8) have a paid employee or contract engineer and various volunteers available, as needed, in Coalinga; and (9) maintain a toll-free telephone number between Coalinga and the main studio of KEDR(FM).

In these circumstances, we are persuaded that Family will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. However, we remind Family, of the requirement that it maintain a public file for KFRP(FM) at the main studio of the "parent" station, KEDR(FM). It must also make reasonable accommodation for listeners wishing to examine the file's contents<sup>6</sup>. We further remind Family that, notwithstanding the grant of the waiver requested here, the public file for KFRP(FM) must contain the quarterly issues and programs list for Coalinga, California, required by 47 C.F.R. Section 73.3527(e)(8).

<sup>3</sup> See *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 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order")

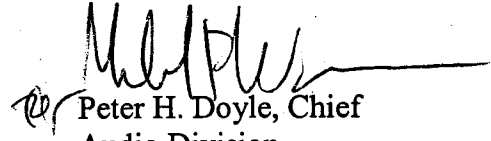
<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> See *Reconsideration Order*, 14 FCC Rcd 11113, 11129 at Paragraph 45.

Accordingly, the request for a waiver of 47 C.F.R. Section 73.1125 for KFRP(FM) filed by Family Stations, Inc. IS HEREBY GRANTED.

Sincerely,



Peter H. Doyle, Chief  
Audio Division  
Media Bureau