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FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION  
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IN REPLY REFER TO:  
1800B3-ALM

Christine J. Newcomb, Esquire  
Dow, Lohnes, & Albertson  
1200 New Hampshire Avenue, N.W.  
Suite 800  
Washington, D. C. 20036-6802

IN RE: NEW (Ed-FM), Camden, Maine  
Maine Public Broadcasting  
Corporation  
Facility ID No. 92566  
File No. BPED-990115MC

Dear Ms. Newcomb:

This letter is in regard to the above-referenced application for a new noncommercial, educational, FM broadcasting station in Camden, Maine filed by Maine Public Broadcasting Corporation ("MPBC"). MPBC has requested a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125,<sup>1</sup> in order to operate the proposed Camden station as a satellite of its NCE station WMEH(FM) Bangor, Maine.<sup>2</sup> For the reasons set forth below, we will waive 47 C.F.R § 73.1125 and grant MPBC's application.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. *Amendment of Sections 73.1125 and 73.1130*, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement 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. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard. *Id.*

<sup>1</sup> An supplement to the request for waiver was submitted on September 13, 1999.


<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).

MPBC's request is based on the economies of scale, which would be realized by grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a)(4) under these circumstances. MPBC proposes to operate the proposed new Camden, Maine station as a satellite of WMEH(FM), Bangor, Maine, approximately 40 miles from Camden. The Commission expects the licensee of a satellite station to take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, MPBC has pledged to: (1) conduct ascertainment of community needs in the Camden area on a regular basis by analysis of audience mail, e-mail, telephone calls to the WMEH(FM) listener line, informal surveys and Community Advisory Board meetings; (2) develop programming to meet the needs and interests of the Camden area based on its ascertainment methods; (3) be alert for Camden-area local news; (4) provide a Web-site to enable Camden residents to comment on WMEH(FM) programming and to receive extensive information about MPBC and its radio station services; (5) subscribe to Camden area newspapers; and (6) maintain a toll-free telephone number between Camden and the WMEH(FM) main studio. We remind MPBC, however, of the requirement that it maintain a public file for the Camden station at the main studio of the "parent" station, WMEH(FM). *See Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 64 Fed. Reg. 35941 (July 2, 1999).

Accordingly, the application of Maine Public Broadcasting Corporation for a new noncommercial, educational FM station in Camden, Maine and its request for a waiver of 47 C.F.R. § 73.1125 ARE GRANTED.

Sincerely,



Linda Blair, Chief   
Audio Services Division  
Mass Media Bureau