

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

JUL 06 2006

IN REPLY REFER TO:
1800B3-ALV

James E. Price
Sterling Communications, Inc.
219 Dodd Road
Ringgold, GA 30736

MAILED
JUL 10 2005
FCC Mail Room

In Re: KEQX(FM), Stephenville, Texas
Facility ID No. 89619

KQXS(FM), Stephenville, Texas
Facility ID No. 89698

Request for Waiver of 47 C.F.R. § 73.1125
(Main Studio Rule)

Dear Mr. Price:

We have before us a request from CSSI Non-Profit Broadcasting Corporation ("CSSI"), permittee of KEQX(FM), Stephenville, Texas, and licensee of KQXS(FM), Stephenville, Texas, for a waiver of the Commission's main studio rule, 47 C.F.R. 73.1125, to operate KEQX(FM) and KQXS(FM) from its existing studio facilities in Weatherford, Texas.¹ For the reasons stated below, we grant CSSI's request for a waiver of Section 73.1125.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license, (2) within the principal community contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community of license.² 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 is considered on a case-by-case basis. We have previously recognized limited funding as a basis for permitting centralized operation for noncommercial educational stations and networks. The station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.³

¹ CSSI filed amendments to its waiver request on March 18, 2005, April 6, 2005, and September 7, 2005.

² See 47 C.F.R. § 73.1125(a); see also *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").

³ *Id.*

CSSI seeks a waiver of Section 73.1125 to operate KEQX(FM) and KQXS(FM) from the existing studio complex for its stations KYQX(FM), Weatherford, Texas, and KSQX(FM), Springtown, Texas. The studio is located at Wiggs Lane and Bethel Road in Weatherford, Texas, approximately 17.8 miles outside of the area in which CSSI could locate its main studio for KEQX(FM) and KQXS(FM) in accordance with the main studio rule.

CSSI has demonstrated that circumstances support a waiver in this particular case. Specifically, CSSI has shown that it can achieve significant and continuing cost savings by utilizing its current studio facilities in Weatherford in lieu of establishing a new studio to serve KEQX(FM) and KQXS(FM).⁴ Moreover, on the basis of the commitments CSSI has made, we are persuaded that the stations will meet their public service obligations to the residents of Stephenville, Texas. To that end, CSSI has pledged to: (1) establish a local advisory council to gather input on programming issues of interest to the residents of Stephenville; (2) conduct quarterly ascertainment surveys of local residents to determine the concerns and needs of Stephenville listeners; (3) provide local programming, such as the weekly "Bulletin Board," which provides information about local community events; and (4) maintain a toll-free number from Stephenville to the KEQX(FM) and KQXS(FM) studio in Weatherford.

In these circumstances, we are persuaded that CSSI will meet its local service obligation and, thus, that grant of the requested waivers is consistent with the public interest.⁵ We remind CSSI of the requirement that it maintain a public file for KEQX(FM) and KQXS(FM), Stephenville, Texas, at its Weatherford studio. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁶ We further remind CSSI that, notwithstanding the grant of the waivers requested here, the public files for KEQX(FM) and KQXS(FM) must contain the quarterly issues and programs list for Stephenville, Texas, as required by Section 73.3527(e)(8) of the Commission's Rules.⁷

Accordingly, IT IS ORDERED that the requests for waiver of 47 C.F.R. Section 73.1125 ARE GRANTED.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

cc: CSSI Non-Profit Broadcasting Corporation

⁴ CSSI states that by utilizing its existing studio in Weatherford, it expects to generate annual savings of at least \$59,640, which will enable it to "devote additional resources to serving Stephenville with quality programming" See CSSI September 7, 2005, Amendment at 2.

⁵ See, e.g., *Central Virginia Educational Television Corp.*, 49 R.R.2d 435 (1981) (waiver granted in non-satellite context on basis of cost savings and proximity of studio to community of license).

⁶ See *Reconsideration Order*, 14 FCC Rcd at 11129.

⁷ 47 C.F.R. § 73.3527(e)(8).