

RECEIVED  
STUART W. NOLAN, JR.  
Managing Attorney

2017 JAN -9 P 2: 28

# LEGALWORKS APOSTOLATE, PLLC

ATTORNEYS AT LAW

4 FAMILY LIFE LANE  
FRONT ROYAL, VIRGINIA 22630

540.622.8070 (LOCAL)  
540.622.2247 (FACSIMILE)  
888.409.6757 (TOLL FREE)

WWW.LEGALWORKS.COM

NOLAN@LEGALWORKS.COM

December 30, 2016

AUDIO SERVICES DIVISION

Attention: Audio Division, Media Bureau  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: Our Lady of Guadalupe Radio, Inc. dba Annunciation Radio  
FM Station WRRO, Edon, Ohio  
Facility ID 175485  
Main Studio Waiver Request**

On behalf of our client, Our Lady of Guadalupe Radio, Inc., dba Annunciation Radio ("Annunciation Radio"), we hereby request waiver of Section 73.1125 of the Rules with respect to WRRO in Edon, Ohio (the "Station")(Facility ID 175485). This facility was recently acquired and operates currently with a temporary solution for a main studio facility, but the current solution is not feasible over the long term. Annunciation Radio already operates noncommercial educational FM radio facilities WNOC in Bowling Green, Ohio (Facility 176349).

Annunciation Radio hereby requests a waiver of the requirements of Section 73.1125 of the Commission's Rules so as to allow the Station to co-locate in the main studio of WNOC, with its main studio at 3622 Rugby Drive, Toledo, Ohio 43614. This is outside of the area normally contemplated by Section 73.1125 of the Rules. Accordingly, and for the good cause set forth herein, **Annunciation Radio requests a satellite station waiver of the main studio requirements.**

Waiver of the main studio rule in the circumstances set forth below would be consistent with a number of past rulings permitting educational television and radio station groups to coordinate their main studio operations from a central location, rather than duplicating such facilities in each satellite station. In addition, a grant of the instant waiver request would fall within the precedents set by the Commission in *Delmarva Educational Association*, 19 FCC Rcd 6793 (2004) and of the former Audio Services Division in *American Family Association*, 12 FCC Rcd 15128 (ASD 1997).

The Commission has defined a satellite station as one that operates on a channel specified in the rules and which meets all of the technical requirements of the Commission's rules, but one that usually originates no local programming. *Multiple Ownership Rules*, 3 RR 2d 1554, 1562 (1964). Rather, the satellite station traditionally rebroadcasts the programming of a parent station. Satellite stations operate with

variances from certain Commission rules, including the main studio rule. The Commission has long recognized the benefits of centralized operation for such noncommercial educational stations, based on the limited funding available to these stations.

The most compelling reason for granting waiver relief in this instance is the vast savings that Annunciation Radio will realize, which will help ensure the financial viability of its planned noncommercial educational operation of its several stations. Annunciation Radio has obtained cost estimates as to the financial burden of maintaining an additional studio instead of just a single main studio. Additional annual costs are estimated as follows:

<i>Initial Expenses</i>		<i>Annual Expenses</i>	
Studio Equipment	\$ 35,000	Staff	\$ 75,000
Office Construction	\$ 17,000	Insurance, utilities	\$ 3,000
Equipment, and Supplies	<u>\$ 3,000</u>	Lease	<u>\$ 18,000</u>
Total	\$ 55,000	Total	\$ 96,000
		Total First Year Cost	<b>\$151,000</b>

Annual revenue for Annunciation Radio is \$384,000. Thus, according to a modest estimate that excludes certain expenses such as legal fees and training, *the first year cost of opening a new main studio will exceed 39 percent of Annunciation Radio's annual revenue*, a cost Annunciation Radio will be forced to incur absent the requested waiver relief. An additional \$ 96,000 of this expense would recur annually. This cost of building and operating an additional main studio would constitute a tremendous financial hardship for Annunciation Radio, especially in the current economic climate.

Annunciation Radio is a non-profit religious talk radio group of stations that offer educational radio programming. Annunciation Radio broadcasts important local programming that includes programs to help individuals and communities overcome various social problems. Moreover, Annunciation Radio's format offers the added diversity of programming that is not already available in the local radio markets where it broadcasts. Requiring WRRO to operate with a main studio in Edon would add unnecessarily to the economic strain of this ambitious effort and risk undermining the economic sustainability of Annunciation Radio's newest facility.

In operating WRRO, Annunciation Radio will meet its local service obligations to satisfy the Section 73.1125 public interest standard through alternate means. Annunciation Radio will maintain awareness of the needs and interests of the community of Edon thorough six principal means: (1) Annunciation Radio will maintain a resident manager in the Edon area to advise it regarding the needs and interests of the community; (2) Annunciation Radio will subscribe to the local community newspaper; (3) Annunciation Radio will broadcast a weekly scheduled program (consisting of local news, announcements of groups serving the community, etc.) serving the specific needs and interests of Edon; (4) no less frequently than once each quarter, Annunciation Radio

*WRRO Main Studio Waiver Request*

December 29, 2016

Page 3 of 3

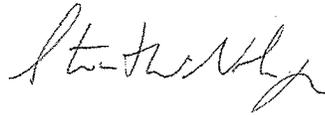
officers and/or managers will visit Edon to conduct meetings or otherwise confer with residents and ascertain the problems, needs, and interests of the communities, and will address these through its programming; (5) Annunciation Radio will maintain a toll-free telephone number to allow residents in the Edon area to contact programmers and managers of Annunciation Radio; and (6) Annunciation Radio will maintain the public inspection file for the station at the WNOC studio.

When presented with similar commitments to address local needs, the Commission has historically granted waivers of the main studio rule to allow for the satellite operation of noncommercial educational FM stations. Here, the applicant offers the added public interest factor that it would be a locally owned and operated station focusing on local issues while broadcasting wholesome, family-oriented programming.

In view of the foregoing, Annunciation Radio respectfully requests a waiver of Section 73.1125 of the Rules **to allow for the operation of WRRO as a satellite facility**.

Please do not hesitate to contact the undersigned in the event you have any questions regarding this request.

Sincerely,



Stuart W. Nolan, Jr., Esq.  
Counsel for Annunciation Radio