

Denise B. Moline, Esq.

358 Pines Blvd.
Lake Villa, IL 60046

Phone: 847-245-7414

Fax: 847-245-7419

E-Mail: DBMoline@comcast.net

Admitted: District of Columbia
Florida (inactive)
Virginia (inactive)

January 15, 2014

**Re: WMIH (FM), Geneva, OH (# 170889)
Request for Main Studio Waiver
Holy Family Communications**

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th St., SW
Washington, DC 20554

Dear Ms. Dortch:

On behalf of Holy Family Communications (“Holy Family”) this is to request a waiver of Section 73.1125 of the Commission’s Rules. Holy Family is the Permittee of noncommercial educational station WMIH (FM), Geneva, OH, and is filing simultaneously herewith for License to cover the Permit for WMIH (FM). Holy Family respectfully requests a waiver of the requirements of the FCC’s main studio location rule to allow WMIH to operate from the WLOF 101.7 (FM) studio. This location is outside of the area normally contemplated by Section 73.1125.

Holy Family could achieve considerable savings by locating its main studio at 6325 Sheridan Drive Williamsville, NY 14221. This will help ensure the financial viability of its planned noncommercial educational operation of WMIH, as well as of the NCE operation of WTMI (FM), Fleming NY, WQHE (FM), Oil City, PA, and WQOM (AM), Natick, MA, a station which Holy Family recently acquired.¹

The following represents a cost estimate for buildout of a main studio location in Geneva, OH:

Buildout Expenses:

Studio equipment	\$30,940
Office construction, equipment and supplies	\$ 2,685

Total: \$33,625

¹ A waiver of the main studio location rule was recently granted to Holy Family for Station WMTQ (FM), Elmira, NY to allow Holy to co-locate its main studio for that station with that of Station WLOF (FM), Elma, NY.

Annual Expenses (First Year):

Rent	\$ 6,462
Staff:	\$67,200
Insurance, utilities	\$ 9,948
Total:	\$83,610

Total Initial and Annual Expenses:

This estimate, of course, excludes expenses such as legal fees and training, consulting fees in connection with studio construction, etc. Thus, the first year expenses of construction of a new main studio will exceed ten percent of Holy Family's annual revenue. And the additional annual expense would recur each year thereafter.

The cost of building and operating an additional main studio would constitute a significant financial hardship for Holy Family in the current economic circumstances. Holy Family is a non-profit religious talk radio group of stations that offer educational radio programming. Holy Family's revenues consist of donations from listeners, and program sponsors. All of Holy Family's stations offer diversity of programming of a sort that is not readily available in those local radio markets. The addition of the cost of buildout of a new main studio would strain Holy Family's financial ability to sustain all of its stations,² and would undermine its ability to buildout this facility as well as its other noncommercial educational permit for WTMI at Fleming, NY.

In operating WMIH, Holy Family will meet its local service obligation to satisfy the main studio requirements through alternative means. Holy Family will maintain awareness of the needs and interests of Geneva, OH as follows: (i) Holy Family will maintain a correspondent who resides in Geneva, OH to advise it of the needs and interests of the community; (ii) Holy Family will broadcast weekly programs that serve the specific needs and interests of Geneva, OH including local news, announcements of Geneva, OH groups and organizations; (iv) Holy Family will maintain a toll-free number to allow residents in the Geneva area to contact programmers and managers of Holy Family; and (vi) Holy Family will maintain an additional copy of its public file in a public location in Geneva, OH, in addition to that maintained at its proposed main studio location, in order to make available the contents of the public file to local residents.

Waiver of the main studio rule in these circumstances would be consistent with a number of prior rulings permitting educational television and radio station groups to coordinate their

² Holy Family is the licensee of Stations WLOF (FM), Elma, NY; WHIC (AM), Rochester, NY; WQOM (AM), Natick, MA; WMTQ (NCE-FM), Elmira, NY, WQHE (NCE-FM), Oil City, PA and WTMI (NCE-FM), Fleming, NY. Both WMTQ and WTMI have received main studio waivers that permit those stations to operate from a main studio collocated with that requested herein.

main studio operations from a central location, rather than duplicating such facilities in each satellite station. Grant of the instant waiver request would be consistent with *Delmarva Educational Association*, 19 FCC Rcd 6793 (2004) and with the decision of the Audio Services Division in *American Family Association*, 12 FCC Rcd 15128 (ASD 1997). The Commission has long recognized the benefits of centralized operation for noncommercial radio stations, as well as the limited funding available to such stations. Such a waiver operates to stabilize the financial viability of noncommercial educational stations.

Holy Family is providing an independently-owned and operated station, offering new and needed diversity in programming, which will address local needs and issues. The FCC has granted waivers to similarly-committed applicants in the past, and should do so in this case.

In view of the foregoing, Holy Family respectfully requests that the Commission grant it a waiver of the main studio location rule to allow it to operate the WMIH (FM) main studio from 6325 Sheridan Drive Williamsville, NY 14221.

Respectfully submitted,



Denise B. Moline

Counsel for Holy Family Communications.

cc: Michael Wagner, Asst Chief
Audio Services Division, Media Bureau

