

### **Assignee's Request for Continued Waiver of Main Studio Location Rule**

Georgia Public Telecommunications Commission ("GPTC") respectfully requests a waiver of main studio location requirements of Section 73.1125 of the FCC's Rules in connection with its proposed acquisition, through assignment, of the license for noncommercial educational ("NCE") FM station WNGH-FM at Chatsworth, Georgia (the "Station"). GPTC proposes to operate the Station as a satellite of GPTC's co-owned NCE station WUGA(FM), Athens, Georgia (FCC Facility ID No. 22982), from GPTC's existing main studio location in nearby Atlanta, Georgia. Notably, this waiver request does not involve a change in the current WNGH-FM studio location or waiver status: the assignor, the Foundation for Public Broadcasting in Georgia, Inc., was previously granted a main studio waiver to operate the Station from GPTC's headquarters at 260 14<sup>th</sup> Street, N.W., Atlanta, Georgia (*see* FCC File No. BMLED-20090615AFD). In connection with this assignment to GPTC of the Station's license, GPTC seeks to keep the existing waiver in place as the new station licensee, and shall maintain the Station's same current main studio location and address, at GPTC's own headquarters.

### **Background**

GPTC is a statewide noncommercial broadcasting network and is the licensee of fifteen noncommercial educational radio stations (WUGA, WUNV, WWET, WXVS, WJWV, WPPR, WNGU, WWIO-FM, WSVH, WUWG, WGPB, WABR, WACG-FM, WMUM-FM, and WJSP-FM) and nine noncommercial educational television stations (WABW-TV, WACS-TV, WCES-TV, WMUM-TV, WGTW, WJSP-TM, WVAN-FM, WXGA-TV, and WNGH-TV), all located in the state of Georgia. GPTC's headquarters and primary studio facilities are located in Atlanta. GPTC plans to operate station WNGH-FM, upon its assignment, as a satellite of WUGA from GPTC's existing Atlanta headquarters and main studio (which, as noted above, is already WNGH-FM's main studio location pursuant to the assignor's existing main studio waiver grant for use of GPTC's studio location).

GPTC's mission is to create, produce and distribute high quality programs and services that educate, inform and entertain its audiences and enrich the quality of their lives. GPTC's radio operations include a listener-supported public radio network serving Georgia with NPR news and information along with a variety of music. In connection with its education efforts, GPTC is also Georgia's digital media content provider for the classroom offering locally produced, Georgia-specific content and digital streaming services across all subject areas to teachers and students.

### **Justification**

The requested waiver and satellite status will serve the public interest by permitting GPTC to use its existing studio facilities and infrastructure to provide the highest quality and quantity of public radio offerings to the Chatsworth community. The Commission has stated that "[we] have recognized the benefits of centralized operations for noncommercial educational stations, given the limited funding available to these stations, and we have granted waivers to state and regional public television and radio networks to operate 'satellite' stations that do not

necessarily meet the requirements of a main studio,” subject to a showing of good cause why the Commission should grant such a waiver.<sup>1</sup>

There are significant public interest gains that will result from continued use of the consolidated studio facilities. A main studio waiver will allow GPTC to conserve limited financial resources and eliminate the need for unnecessary duplication of equipment and personnel. Conservation of resources is vitally important for a state entity such as the assignee.

By avoiding the need for duplicative studio, personnel, and administrative costs, the Station’s continued use of the consolidated main studio operation in Atlanta will enhance GPTC’s ability to provide quality public radio programming to listeners in the Chatsworth community. Otherwise, it would be difficult for GPTC to both maintain a separate local studio and provide high quality programming. However, taking advantage of the existing administrative and technical facilities that GPTC already uses as a production space will benefit listeners in Chatsworth by allowing GPTC to provide their public radio services in a cost-conscious manner.

Moreover, individual and organizational support provided by members of the local community is a vital source of funding for the broadcast operations of GPTC, as listener donations and local organization sponsorship contribute to operating revenues. The studio co-location will allow the community of Chatsworth, a small city of approximately just 4,290 people, to enjoy the same high-quality public radio service enjoyed and financially supported by larger cities and communities elsewhere in the state such as Atlanta (population of approximately 456,000) and Athens (a consolidated city-county municipality of approximately 119,648 people).<sup>2</sup> As a state entity, GPTC is committed to providing the same high level of noncommercial programming to residents in Chatsworth that it provides to residents in the Atlanta and Athens areas, and elsewhere in the state. Nonetheless, Chatsworth is only approximately 74 miles away from Atlanta, and GPTC believes that it can adequately assess and serve the needs of the Station’s community of license, despite the lack of a local main studio.

Thus co-locating the main studio for the Station with GPTC’s main studio in Atlanta will allow GPTC to fulfill its educational mission in a manner consistent with the realities of the current public broadcasting funding situation. In addition, GPTC submits that the grant of a main studio waiver will not have an adverse effect on the ability of the University to ascertain the needs of the Chatsworth community and address them through its programming.

- Chatsworth, Georgia is approximately 74 miles from Atlanta, home to GPTC’s headquarters and studio.
- The residents of the Chatsworth community are able to contact GPTC’s studios via an

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<sup>1</sup> See *In re Main Studio and Program Origination Rules for Radio and Television and Television Broadcast Stations*, Memorandum Opinion and Order, 3 FCC Rcd 5024 (1988).

<sup>2</sup> See U.S. Census 2014 Population Estimates for Chatsworth, Atlanta, and Athens Georgia, <http://www.census.gov/>.

active toll-free telephone number.

- GPTC maintains a website at [gpb.com](http://gpb.com) which invites listeners to contact station staff by various means, including email, mail, and phone in order to comment on programming and station operation or to provide suggestions for staff. The GPTC website also provides information on programming, schedules, news, and individual stations.
- GPTC plans to periodically review newspapers and/or online sources and other media that cover the greater Chatsworth area.
- GPTC plans to conduct a quarterly ascertainment review of the needs and interests of the Chatsworth community.

These efforts will help GPTC, as licensee of the Station, to select and broadcast programming that is responsive to the needs of the Chatsworth community. As a result, GPTC will offer area listeners with programming such as “On Second Thought,” a one-hour, daily news talk show, featuring timely conversations about all topics relating to Georgia, including politics, health care, education, music, literature, race, and additional topics, incorporating the comments and ideas of listeners into its stories, and welcoming input from the Georgia community; “Political Rewind with Bill Nigut,” breaking down the political game in Georgia, from local elected officials to state and federal government; “Savannah Music Festival Live”; “Two Way Street with Bill Nigut,” exploring the issues, people and events of Georgia to give viewers a more complete perspective on the major issues facing the state; and other news, public affairs and entertainment programs. GPTC’s connection to the Chatsworth community, and its efforts to further ascertain and serve the needs of local residents, will thus ensure that the programming aired over the Station serves the needs of its local community.

In sum, GPTC submits that its commitment to ascertain and serve the needs of the Chatsworth community by providing high quality public radio programming, the likelihood that the Chatsworth community might not otherwise be able to support a comparable standalone noncommercial public radio outlet, and the necessity of conserving scarce financial resources, justify the grant of a main studio waiver. For all of these reasons, GPTC respectfully requests a waiver of Section 73.1125 of the Commission’s rules to continue to co-locate the main studio for the Station at GPTC’s headquarters in Atlanta, Georgia. GPTC submits that the public interest will be well served by authorizing the Station as a satellite of GPTC’s co-licensed NCE station WUGA(FM).