

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

AUG 18 2003

IN REPLY REFER TO:
1800B3-RAB

Alan F. Kilgore, Chief Engineer
WRVM, Inc.
P. O. Box 212
Suring, Wisconsin 54174

In Re: WMVM(FM), Goodman, WI
WRVM, Inc.
Facility ID No. 59353
BPED-20021011AAY

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

Dear Mr. Kilgore:

The staff has under consideration: (1) the captioned application of WRVM, Inc. ("WRVM") for minor change in the facilities of station WMVM(FM), Goodman, Wisconsin; and (2) WRVM's request for a waiver of the Commission's Main Studio Rule, Section 73.1125,¹ in order to operate station WMVM(FM) as a "satellite" of commonly owned noncommercial educational ("NCE") station WRVM(FM), Suring, Wisconsin.² For the reasons set forth below, we will waive Section 73.1125 and grant WRVM's application.

Main Studio Waiver. Pursuant to Section 73.1125(a), a broadcast station's 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.³ 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

¹ WRVM amended the waiver request on July 15, 2003.

² 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).

³ See *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").

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.⁴ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 “public interest” standard.⁵

WRVM’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. Section 73.1125(a)(4) under these circumstances.

WRVM proposes to operate WMVM(FM), Goodman, Wisconsin, as a satellite station of WRVM(FM), Suring, Wisconsin, approximately 44 miles from Goodman. Where there is a great distance between the parent and satellite station, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community’s needs and interests. To that end, WRVM has pledged to: (1) engage the services of “Goodman Radio Fellowship” (“GRF”), a recently established local citizen’s advisory board consisting of community residents with a minimum of five members, including one knowledgeable resident of Goodman, to address residents concerns through its programming; (2) engage GRF to conduct quarterly ascertainment of problems, needs and interests of the Goodman community; (3) meet periodically with GRF on conference calls to discuss local issues of public concern facing the community, whereby at least one in-person meeting will be held each year that is open to members of the public to attend and participate in the discussions; (4) announce scheduled meetings on WRVM(FM) and WMVM(FM) at least one week prior to the meetings and disclose the time and location of such meetings; (5) include news insertions in its local broadcasts to include segments regarding events in the Goodman area; and broadcasts of local weather for the Goodman area on WRVM(FM) and WMVM(FM); (6) maintain a public inspection file within the Goodman community; and (5) maintain a toll-free telephone number, as required by Section 73.1125(d) of the rules.

In these circumstances, we are persuaded that WRVM will meet its local service obligation and thus, that grant of the requested waiver is consistent with the public interest. We remind WRVM, however, of the requirement that it maintain a public file for the Goodman, Wisconsin station at the main studio of the “parent” station, WRVM(FM), Suring, Wisconsin. It must also make reasonable accommodation for listeners wishing to examine the file’s contents.⁶ We further remind WRVM that, notwithstanding the grant of the waiver requested here, the public file for WMVM(FM) must contain the quarterly issues and programs list for Goodman, Wisconsin, required by 47 C.F.R. Section 73.3527(e)(8).

⁴ *Id*

⁵ *Id*

⁶ *See Reconsideration Order*, 14 FCC Rcd at 11129, Paragraph 45.

Minor change application. We have examined the application (BPED-20021011AAY) for minor change in the facilities of station WMVM(FM). We find that the application complies with all pertinent statutory and regulatory requirements and thus that the public interest, convenience, and necessity would be furthered by its grant.

Accordingly, WRVM, Inc.'s request for waiver of 47 C.F.R. Section 73.1125 and its application BPED-20021011AAY, ARE HEREBY GRANTED. The authorization is enclosed.

Sincerely,


Peter H. Doyle, Chief
Audio Division
Media Bureau

Enclosure