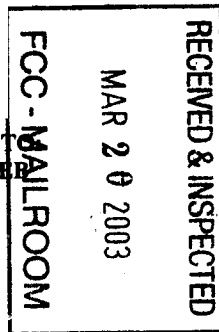


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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

MAR 17 2003

**IN REPLY REFER TO
1800B3-EE**



Harold S. Vogt
Senior Technical Engineer
Family Worship Center Church, Inc.
P.O. Box 262550
Baton Rouge, LA 70826-2550

In Re: WSTN(AM), Somerville, Tennessee
Family Worship Center Church, Inc.
Facility ID No. 8062

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

Dear Mr. Vogt:

The staff has under consideration the referenced August, 25, 2002 request for a waiver of the Commission's main studio requirement, 47 C.F. R. Section 73.1125, filed by Family Worship Center Church, Inc. ("FWCC"). In this request, FWCC seeks a waiver of Section 73.1125 of the Commission's Rules in order to operate WSTN(AM) as a satellite" station of its noncommercial educational station WJFM(FM), Baton Rouge, Louisiana.¹ For the reasons set forth below, we will waive 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 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 operation 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.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.⁴

¹ 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).

² *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").

³ *Id.*

FWCC'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) under these circumstances. FWCC proposes to operate WSTN(AM), Somerville, Tennessee, as a satellite station of WJFM(FM), Baton Rouge, Louisiana, approximately 347 miles from Somerville. Where there is considerable distance between the parent and the satellite station, and where the parent and satellite station are in different states, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, FWCC has pledged to meet its local service obligations by: (1) developing a "volunteer listener program" which will have one to three local listeners committed to being available to check on the transmitter and to provide a local presence for listeners to contact with comments and issues; (2) hiring for the volunteer program will be advertised in the local newspaper once per quarter encouraging local parties to contact FWCC by either an 800 telephone number, mail or e-mail; (3) engaging in local surveys in Somerville to determine the concerns and needs of the community which will then be addressed in the programming from the network as part its normal broadcast; (4) working to develop a list of questions to be placed in Somerville newspaper ads which would inquire about the local concerns and how the programming can be improved; (5) integrating an on-air question and answer session with local listeners once per week into the programming; and (6) maintaining its public inspection file within the community of license.

In these circumstances, we are persuaded that FWCC will meet its local service obligation and, thus, that grant of the requested waiver is consistent with the public interest. We remind FWCC, however, of the requirement that it maintain a public file for WSTN(AM) at the main studio of the "parent" station, WJFM(FM), Baton Rouge, Louisiana. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind FWCC that, notwithstanding the grant of waiver requested here, the public file for WJFM(FM) must contain the quarterly issues and programs list for Somerville, Tennessee, as required by C.F.R. Section 73.3527(e)(8).

Accordingly, the request made by Family Worship Center Church, Inc., for waiver of 47 C.F.R. Section 73.1125, IS GRANTED.

Sincerely,



H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

⁴ *Id.*

⁵ See *Reconsideration Order*, 14 FCC Rcd at 11129.