

## REVISED MAIN STUDIO WAIVER REQUEST

Community Radio for Northern Colorado (“CRNC”) hereby requests a waiver of Section 73.1125(a)(3) of the Commission's Rules to the extent necessary in order to permit the operation of the proposed noncommercial educational FM station as a satellite station with a main studio not located in the city of license. If granted the station will rebroadcast KUNC-FM, Greeley, CO. and operate as a part of the network of public radio stations operated by the CRNC, with studios at the CRNC's main studio address at 822 Seventh Street, Suite 530 Greeley, CO 80631. As will be shown, CRNC fully intends to fulfill its local service obligations to the community of license. However, for the reasons set forth, CRNC believes that the public interest would be served by a waiver of the main studio rule.

CRNC operates existing public radio stations, and associated translators, providing a variety of public radio program services. These stations broadcast program offerings from National Public Radio, Public Radio International, American Public Media, the BBC and other established public radio program sources.

Based upon its experience as a Commission licensee, CRNC has determined that it would be financially infeasible to operate the new station on a noncommercial basis from the city of license. Rather, CRNC proposes to operate the new station from its existing main studio facility, which would enable the production of a program service of higher quality than would otherwise be possible. CRNC has a professional staff that is significantly larger, and with a larger budget, than the average public radio station, which allows the production of programming developed from the many communities which CRNC serves. It is unlikely that any local studio, minimally staffed, could produce a program service with breadth or quality comparable to that which it is possible to produce from CRNC's existing main studio. News broadcasting is a particularly good example of a program service in which stringers, volunteers and program contributors from all areas, including the city of license, can help produce a wide-ranging news program which covers the issues of concern of this area. CRNC will continue its long and close associations with individuals and institutions in the city of license for the purpose of developing and producing programming from that area which is responsive to those interests and needs.

In order to better ascertain the needs and interests of the city of license and its listening area, CRNC will subscribe to the area's local newspaper, and will make quarterly visits to the city of license in an effort to understand and respond to the issues and concerns of the community.

### Community Efforts

CRNC demonstrates its commitment to an understanding of local broadcast needs in a variety of ways. Among the efforts that currently take place are the following:

- A user-friendly mailbox ([comment@kunc.org](mailto:comment@kunc.org)) is publicized as a way to contact CRNC staff with programming questions, concerns, and suggestions. This mailbox is monitored daily by the President & CEO of CRNC.
- The organization conducts monthly Community Gathering meetings in communities throughout the listening community. These meetings are attended by senior staff and CRNC board members and are focused on receiving input from the local community.
- Members of the board of directors represent different geographical constituencies. Currently two members of the board of directors are from west of the Continental Divide. One member lives in Silverthorne, Colorado, approximately 25 miles from Minturn, Colorado.
- The organization also maintains a Community Advisory Board which is also geographically diverse. Currently one member of that board is from western Colorado.

Additional community consultations.

- As a result of CRNC's translator in the west end of Eagle County, K259AC, (approximately 30 miles from Minturn, Colorado) the organization currently has an electronic mailing list of more than 150 residents in Eagle County, Colorado. A quarterly electronic mailing will be sent to all members asking for input and feedback regarding programming being aired.
- An advisory council of 5-7 area residents will be developed to meet via teleconference on a quarterly basis.
- Group meetings will be scheduled on a quarterly basis with residents invited to meet with senior management, programming staff, or board members, or a combination of the above.

In order to fulfill its local program service responsibilities, and based upon its ascertainment of community needs, CRNC intends to incorporate into its news, public affairs and informational programs programming of unique concern to the residents of the city of license. In addition CRNC will cover significant events, including cultural events, political campaigns and election results, in the city of license and the immediate vicinity.

The Assignee will deploy personnel to cover the problems, needs and interests of the city of license and regularly consult with local civic and community leaders as part of its ongoing ascertainment efforts and take into account the findings of such ascertainment efforts in developing the Assignee's news and public affairs programs. To facilitate listener input from the city of license, CRNC will maintain a web page which solicits public feedback on Assignee's programming. In compliance with the Commission's rules regarding the location of public files, the Assignee will maintain the public inspection file at its main studio location and will establish a toll-free telephone number so residents from the city of license may call CRNC's main studio without incurring any toll charges and may request information from the Assignee's public files. CRNC will also make available to all listeners, upon request, a copy of the Commission's "The Public and Broadcasting" free of charge. The grant of this proposed station, under the requested waiver, will enable providing a new programming service for the city of license on an economic basis which is supportable by the community's residents and by CRNC which provides the greatest amount of public service at the lowest cost. In adopting the current version of Section 73.1125 of its rules, the Commission explicitly recognized the continuing viability of the publicly interest considerations which warrant the grant of waivers of the main studio rule for noncommercial stations. See Report and Order in MM Docket 80-406, 2 FCC Rcd 3215, 3224, n.10 (1987) modified in part 65 RR2d 119, 125-26 (1988). The instant waiver request meets the good cause standard applied in previous cases and should therefore be granted.

The Commission has on previous occasions waived the main studio rule for other noncommercial broadcast licensees. In Nebraska Educational Television Commission, 4 RR 2d 771 (1965) the Commission, recognizing the economic realities public broadcasting, authorized operation of a statewide network of stations in order that public broadcasting service might be provided in the most cost-effective fashion.