

Construction Permit Special Operating Conditions

Special Operating Condition 2

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JAMES K. DELMARTER
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2901 H STREET # 3
BAKERSFIELD, CA 93301-1931

Job No. 13075

August 3, 2005

Family Stations, Inc.
Att: Linda Adams
290 Hegenberger Road
Oakland, CA 94621

Re: Mt. Adelaide Survey

Dear Ms. Adams:

On August 1, 2005 my surveyors performed a survey on Mt. Adelaide to verify the new antenna was pointed at a geodetic azimuth of 195° (True North).

The initial setting was determined to be at 200° using conventional survey methods and calculations based on our prior tower survey. This direction was verified using a surveyor's compass adjusted for magnetic declination.

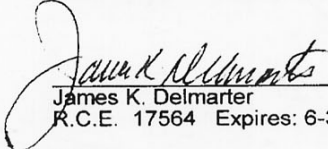
Due to the steepness of the terrain and difficulty in setting up to observe the short antenna, subsequent adjustments would require timely additional surveying and shut-down. Don Wager was concerned about the shut-down time and it was decided to use the compass for further adjustments.

The antenna direction was set at 195° by using a 600'± site distance and adjustments by visual observation.

It is my opinion that the antenna is set as close to 195° as possible.

Very truly yours,

DELMARTER AND DEIFEL


James K. Delmarter
R.C.E. 17564 Expires: 6-30-2007
JKD/mk



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On August 1, 2005, I served as the on-site representative for Family Stations, Inc. during the installation of the transmitting antenna for the modified facility (BMPED-20040510AAA) of KFRB, 91.3 MHz, licensed to Bakersfield, CA.

The antenna is a Shively 6813 1-bay vertically polarized directional, manufactured specifically for this installation. Shively provided site-specific installation documentation, which was followed in all detail. No on-site revisions or alterations were needed or made, either electrically or mechanically.

Also on August 1, 2005, the orientation of the antenna system was surveyed by the registered surveying company of Delmarter and Deifel, Bakersfield, CA. The results of the surveyor are to be supplied separately.

I, Donald L. Wager, have been a broadcast engineer for over 20 years with experience in broadcast transmission facility construction installation and maintenance. I hold FCC General Radiotelephone License PG-11-2764.



Donald L. Wager
August 4, 2005

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**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

September 23, 2002

IN REPLY REFER TO:
1800B3-MH

Alan C. Campbell, Esquire
Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Avenue, N.W.
Suite 200
Washington, D. C. 20036

In re: KFRB(FM), Bakersfield, CA
Facility ID No. 20902
Family Stations, Inc.
Request for Waiver of
47 C.F.R. § 73.1125
(Main Studio Rule)

Dear Mr. Campbell:

The staff has under consideration the Family Stations, Inc. ("Family") request for a waiver of the Commission's main studio requirement, 47 C.F.R. Section 73.1125¹, in order to operate KFRB(FM), Bakersfield, California as a satellite of its commonly owned noncommercial educational ("NCE") station, KECR(AM), El Cajon, California.²

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's principal community of license contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community of license. *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"). 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 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. *Id.* A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

¹ The waiver request was filed on February 2, 1999. Supplements to the request were submitted on June 16, 1999, June 27, 2002, August 6, 2002 and August 20, 2002.

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).

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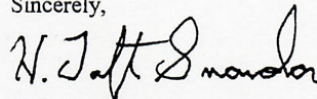
Family states that as a noncommercial educational licensee, it has encountered difficulty in providing financial support for the main studios required by the Commission. Therefore, Family now seeks a waiver of 47 C.F.R. Section 73.1125 in order to arrange its stations into a regional originating and satellite structure. Family's request is based on the economies of scale that would be realized by grant of its waiver.

Family proposes to operate KFRB(FM), Bakersfield, California as a satellite station of KECR(AM), El Cajon, California, approximately 200 miles from Bakersfield. Where there is a great distance between parent and satellite stations, 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, the staff of Family has pledged to engage in a quarterly ascertainment of the community needs and interests of Bakersfield by: (1) maintaining regular contact with part time employees of KFRB(FM) as well as volunteers and community leaders in Bakersfield; (2) traveling to Bakersfield on a regular basis to strengthen community contacts; (3) airing a minimum of 45 minutes per week of local Public Affairs programming as determined by its ascertainment efforts; (4) maintaining a duplicate public inspection file for KFRB(FM) in Bakersfield; and (5) maintaining a toll-free telephone number between Bakersfield, California and the KECR(AM) main studio.

Under these circumstances, we are persuaded that Family will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. We remind Family, notwithstanding its comments to maintain a public inspection file in Bakersfield, it must also maintain a public file for the Bakersfield, California station at the main studio of the parent station KECR(AM), El Cajon, California. It must also make reasonable accommodation for listeners wishing to examine the file's contents. See *Reconsideration Order*, 14 FCC Rcd 11129 Paragraph 45. We further remind Family that, notwithstanding the grant of the waiver requested here, the public file for KFRB(FM) must contain the quarterly issues and programs list, as required by 47 C.F.R. Section 73.3527(e)(8).

Accordingly, the request for a waiver of 47 C.F.R. Section 73.1125 filed by Family Stations, Inc. IS HEREBY GRANTED.

Sincerely,



H. Taft Snowden
Supervisory Attorney
Audio Division
Media Bureau

***Family Stations, Inc.
KFRB (CP), Bakersfield, CA
302-FM License Application
BMPED-20040510AAA
Facility ID 20902***

***Exhibit 10
August 2005***

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The permittee/licensee in coordination with other users of the site will reduce power or cease operation as necessary to protect persons having access to the site, tower or antenna from radiofrequency electromagnetic fields in excess of FCC guidelines. KFRB contact representative information will be posted at the site.