

EXHIBIT 29

Request for Waiver of Main Studio Location Rule

New Noncommercial Educational FM Station, 88.5 MHz, Gloucester Point, Virginia

Hampton Road Educational Telecommunications Association (HRETA) requests a waiver of Section 73.1125 of the FCC's Rules for a new noncommercial educational FM station in Gloucester Point, Virginia (the "Station") to allow HRETA to operate the Station as a satellite of HRETA's non-commercial educational station, WHRV, with a main studio at HRETA's headquarters and studio location in Norfolk, Virginia.

Background

HRETA is the licensee of noncommercial educational TV Station WHRO-TV, Hampton-Norfolk, Virginia and noncommercial radio stations WHRV and WHRO-FM, Norfolk, Virginia. HRETA plans that the Station will operate as a complete repeater of WHRV, re-broadcasting 100% of that station's programming.

HRETA serves the Tidewater area of southeastern Virginia and northeastern North Carolina with public broadcasting services, and its local ties to these areas are extensive. HRETA was formed and is controlled by 17 public school system members in the Tidewater/Hampton Roads area (which includes communities on the peninsula as far west as Williamsburg and north through the Virginia Middle Peninsula and the Eastern Shore). The school system members elect the board of directors of Hampton Roads, and provide input regarding its educational mission. Members of the board include not only educators, but others drawn from the community, including leaders from local financial institutions, law firms, transportation firms, the print media and the military.

HRETA is dedicated to enhancing the lives of the citizens in the communities it serves by responding to their need to be engaged, educated, entertained and enlightened. HRETA's mission includes providing quality programming and services to radio audiences.

HRETA's main studio is located in Norfolk, Virginia. Use of these facilities as the main studio for the Station will serve the public interest because it will allow HRETA, a nonprofit community organization that raises over 80% of its support locally, to conserve valuable resources while providing high-quality public radio programming that the Gloucester Point community might not otherwise be able to enjoy. Moreover, as demonstrated below, HRETA will undertake appropriate efforts and establish appropriate practices in order to ascertain the needs and concerns of the Gloucester Point community and to respond to those issues through its programming.

Justification

HRETA submits that the FCC's authorization for the Station to operate as a satellite station of WHRV and without a separate main studio in Gloucester Point will serve the public interest. Permitting HRETA to operate the Station from the existing main studio of WHRV in Norfolk will allow HRETA to provide the highest quality and quantity of public radio offerings to the Gloucester Point community. The Commission has stated that "[w]e 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.¹

In this case, there are significant public interest gains that will result from collocation of the studio facilities. Specifically, a main studio waiver is justified in this instance because a waiver will allow HRETA to conserve valuable local financial resources and eliminate the need for unnecessary duplication of equipment and personnel. Conservation of resources is vitally important for local nonprofit community organizations such as HRETA. Furthermore, HRETA’s pursuit of a waiver in this case is prompted by its desire to provide its high-quality educational programming services to more rural areas of Virginia that might otherwise lack the economic wherewithal to support such a high-quality public radio service. HRETA’s existing ties to the proposed service area are deep and strong, since the local school system is a “member/owner” of HRETA, as described above. These ties, combined with HRETA’s commitment to serve the educational needs of the community through high-quality educational programming, will ensure that the Station serves the needs of its community of license despite the lack of a main studio location within the city itself.

Collocating the main studio for the Station with WHRV in Norfolk will allow HRETA to fulfill its educational mission in a manner consistent with the realities of the public broadcasting funding situation. HRETA is a nonprofit organization that raises over 80% of its funding locally. Thus, it is vitally important for HRETA to conserve financial resources wherever possible, as an extra expense in one area of its operations means fewer resources available for other, no less important or valuable, programs for the public.

By eliminating the need for duplicative studio, personnel, and administrative costs, a consolidated main studio operation in Norfolk will enhance HRETA’s capability to provide quality national and local public radio programming to listeners in Gloucester Point and throughout the surrounding areas. Without this mode of operation, it would be difficult for HRETA to both maintain a separate local studio, and provide high quality programming. HRETA already utilizes its Norfolk studio as a recording studio and production space for its radio operations. Thus, allowing the Station to take advantage of the administrative and technical facilities currently on-hand in Norfolk will be of particular benefit to HRETA as it strives to provide varied public radio programming to Gloucester Point and the surrounding community in a cost-conscious manner that takes into account the realities of public radio operations and funding.

The studio collocation will allow the community of Gloucester Point, a rural town of 9,429 people, to enjoy the same high-quality public radio service enjoyed and financially

¹ 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).

supported by the much-larger community of Norfolk (population 229,112).² As a nonprofit organization, HRETA is committed to providing the same high-quality educational programming to residents in Gloucester Point that it provides to residents in the Norfolk and Hampton Road areas.

For the following reasons, the grant of a main studio waiver will also not have an adverse effect on the ability of HRETA to ascertain the needs of the Gloucester Point community and address them through its programming:

- Gloucester Point is approximately 37.6 miles from Norfolk, and HRETA has concrete ties with the area through its school board members/owners (including schools in Gloucester, Mathews, York and Williamsburg/James City), which ensures appropriate input about the area's needs.
- Area citizens will be able to make contact with HRETA via an active toll-free number that permits residents throughout HRETA's listening areas to reach the HRETA office without long-distance charges. In addition, HRETA has an active listener comment telephone line.
- HRETA will subscribe to the print edition and/or monitor the online edition of Gloucester Point's local newspaper or an appropriate regional newspaper.
- HRETA will partner with local media organizations in the Gloucester Point area to cover news of interest to the community and environs.
- HRETA maintains an up-to-date website at www.whro.org which enables listeners and viewers throughout the listening area to comment on programming via e-mail, and obtain extensive information about HRETA's network schedules, programs and events.
- HRETA's website also provides an interactive community calendar that allows individuals and organizations anywhere (including Gloucester Point) to submit information about events.
- HRETA provides a free bi-monthly newsletter/program guide to members.

These efforts will help HRETA, as licensee of the Station, to select programming that is responsive to the needs of the proposed community of license. In addition, HRETA will also address community needs through its programming. HRETA will offer area listeners regionally-produced programs, including talk and public affairs programming, such as Hearsay, a lunchtime call in program that address issues of concern and interest to area residents. HRETA will also provide listeners with access to NPR news programming and programs such as Morning Edition and All Things Considered, among many others. HRETA plans to include "NPR-style" news features from the proposed community and proposed service area, as well.

² See U.S. Census Population Estimates for Gloucester Point and Norfolk, *available at* <http://factfinder.census.gov>

HRETA's ties to the Gloucester Point community, and its efforts to ascertain and serve the needs of Gloucester Point residents, will thus ensure that the programming that HRETA provides on WHRV serves the needs of Gloucester Point residents.

HRETA submits that its commitment to ascertain and serve the needs of the Gloucester Point community by providing high quality public radio programming, the likelihood that the Gloucester Point community might not otherwise be able to support a comparable standalone noncommercial public radio outlet, and the necessity of conserving local financial resources provide adequate justification for the grant of a main studio waiver in this case.

Accordingly, HRETA respectfully requests waiver of Section 73.1125 of the Commission's rules to locate the main studio for the Station in Norfolk, Virginia. HRETA submits that the public interest will be served by authorizing the Station as a satellite station without a local main studio, as part of a collocated operation at the studios of HRETA's noncommercial educational stations.