

FEDERAL COMMUNICATIONS COMMISSION

MAY 15 10 57 AM '98
WASHINGTON, D. C. 20554

DISPATCHED BY

IN REPLY REFER TO:
1800B3-ALM

MAY 08 1998

Dr. Jerry Moskus, President
Lane Community College
4000 East 30th Avenue
Eugene, Oregon 97405-0640

Re: New FM Service in Florence, Oregon, BPED-970825MN

Dear Dr. Moskus:

The staff has under consideration the application of Lane Community College ("LCC") for a construction permit for new noncommercial educational ("NCE") FM station in Florence, Oregon. LCC has requested a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the Florence, Oregon station as a satellite of its NCE station KLCC(FM), Eugene, Oregon.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant LCC's application for a construction permit.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of its community of license. Amendment of Sections 73.1125 and 73.1130, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement 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.

LCC'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. § 73.1125(a)(4) in these circumstances. LCC proposes to operate the Florence station as a satellite of KLCC(FM), Eugene, Oregon, approximately 50 miles from Florence, Oregon. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of

¹A "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).

the satellite community's needs and interests. To that end, LCC has pledged to: (1) ascertain the problems, needs and interests of Florence; (2) maintain a position on its Board of Education that specifically represents the zone that includes Florence; (3) maintain a center of operation in Florence in which the public inspection file for the proposed station will be located; (4) subscribe to the Siuslaw News, the local Florence newspaper; (5) establish a position on its Community Advisory Board to represent the needs and interests of the Florence area; and (6) identify a resident stringer to cover issues of importance to Florence and the surrounding coastal areas of Oregon. In these circumstances, we are persuaded that LCC will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Lane Community College for a construction permit for a new noncommercial, educational FM station in Florence Oregon, BPED-970825MN, and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED.

Sincerely,

A handwritten signature in black ink that reads "Lisa Scanlon". Below the signature is a small, stylized mark that appears to be "for".

Linda Blair, Chief
Audio Services Division
Mass Media Bureau