

**MAIN STUDIO RULE WAIVER REQUEST**

Florida State University (“FSU”) hereby requests a waiver of Section 73.1125(a)<sup>1</sup> of the Commission’s rules to permit WFSG-TV (Facility ID 6093) to operate without a main studio in its community of license, Panama City, Florida. Specifically, FSU requests the instant waiver to enable WFSG-TV to be operated as a satellite station of WFSU-TV (Facility ID 21801) which has a community of license and main studio located in Tallahassee, Florida operated by FSU.

Section 73.1125(a) requires each broadcast station to maintain a main studio located (i) within the station’s community of license; (ii) within the principal community contour of any other broadcast station licensed to the station’s community of license; or (iii) within 25 miles of the reference coordinates of the center of the station’s community of license. However, pursuant to Sections 73.1125(b)(2), a broadcast station may locate its main studio in a location other than that described in Section 73.1125(a) if “good cause” exists to do so and the proposed main studio location “would be consistent with the operation of the station in the public interest.” Further, Section 73.1125(d) requires a TV licensee to obtain prior authority from the Video Division of the Media Bureau to locate a TV station’s main studio outside the locations specified in Section 73.1125(a).

It is the Commission’s longstanding policy to grant “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” because the satellite stations are operated as part of a network of NCE stations that share a centralized main studio.<sup>2</sup> The Commission has

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<sup>1</sup> 47 C.F.R. § 73.1125(a).

<sup>2</sup> The President and Board of Trustees of the Miami University, *Hearing Designation Order*, 7 FCC Rcd 2902, ¶ 6 (AD/MB 1992) (internal quotations and citations omitted); *see also* Amendment of Sections 73.1125 and 73.1130 of the Commission’s

recognized “the realities of public broadcasting funding and the ongoing problems of educational licensees in raising the necessary funds to expand and provide noncommercial programming,” which requires such NCE licensees “necessarily [to] find ways to get cost efficient programming to as many viewers as possible.”<sup>3</sup> The Commission has determined that such centralized NCE broadcast networks can enable their licensees to realize savings “from not having to construct a main studio” and that such savings can be used “in expanding quality programming to a greater number of viewers.”<sup>4</sup> As a result, the Commission generally has found that “‘good cause’ exists to waive the main studio location requirement where satellite operations are proposed.”<sup>5</sup>

FSU is committed to providing high-quality educational programming to fulfill its local service obligations to the residents of Panama City, FSU commits to regularly interviewing and surveying local community leaders and residents. Additionally, a member of the FSU news department will serve as a local public affairs representative to respond to the interests, concerns, and needs of the local Panama City community. This representative will serve as a liaison between the Panama City residents and FSU programming personnel. These activities will enable FSU to ensure that it broadcasts public affairs programming that addresses the interests, concerns, and needs of Panama City listeners. FSU also will maintain a toll-free telephone number as required by Section 73.1125(d)<sup>6</sup> of the Commission’s rules to enable Panama City to contact the WFSG-TV main studio, which also will serve as the Proposed NCE Station’s main studio. In addition, FSU will maintain a

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Rules, *Memorandum Opinion and Order*, 3 FCC Rcd 5024, ¶¶ 25-31 (1988) (citing Nebraska Educational Television Commission, *Memorandum Opinion and Order*, 4 Rad. Reg. 2d 771, ¶ 2 (1965)) (“*Main Studio Order*”); Sound of Life, Inc., *Hearing Designation Order*, 4 FCC Rcd 8273, ¶¶ 3-4 (AD/MB 1989); The Cedarville College, *Hearing Designation Order*, 6 FCC Rcd 538, ¶¶ 5-6 (1990); John Griffith Johnson, Esq., *Letter*, 20 FCC Rcd 10903 (VD/MB 2005).

<sup>3</sup> Lift Him Up Outreach Ministries, Inc., *Hearing Designation Order*, 3 FCC Rcd 5571, ¶¶ 8-9 (AD/MB 1988).

<sup>4</sup> *Id.*

<sup>5</sup> Jeffrey D. Southmayd, Esq., *Letter*, 2002 FCC Lexis 6524, 1800B3-RAB (AD/MB rel. Dec. 10, 2002); *see also Main Studio Order*, at ¶ 30 (permitting NCE stations to seek “good cause” waivers of the main studio rule to permit the NCE stations to “recognize[] the benefits of centralized operations”).

<sup>6</sup> 47 C.F.R. § 73.1125(d).

public inspection file at the main studio as required by Section 73.3527 of the Commission's rules.

For the reasons set forth above, FSU submits that the requested waiver is supported by the public interest. Therefore, FSU respectfully requests the Commission to grant the instant waiver request to enable the Proposed NCE Station to provide cost-effective, quality educational programming consistent with the needs of the Panama City community and its surrounding rural areas.