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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

DISPATCH UNIT

DEC 23 1994

IN REPLY REFER TO:
1800B3-ALM

Scott L. Thomas, Esq.
Law Center
American Family Association
Post Office Drawer 2440
Tupelo, Mississippi 38803

In re: WQST-FM, Forest, MS
American Family
Association, Inc.
File No. BPH-940124IG
File No. BMLED-941021KZ

Dear Mr. Thomas:

This is in reference to the above-captioned applications filed by the American Family Association ("American Family"). On January 24, 1994, American Family filed an application, on FCC Form 301, for a construction permit to change the license of WQST-FM, Forest, Mississippi from a commercial station to a noncommercial, educational FM station. The application also contained a request for a waiver of 47 C.F.R. § 73.1125, the Commission's main studio rule, to permit WQST-FM to operate as a satellite facility of commonly owned station, WAFR-FM, Tupelo, Mississippi. However, the Commission staff determined that this application was inappropriately filed as a construction permit application on FCC Form 301 and requested that American Family dismiss this application. The staff also informed American Family that the requested action would be more appropriately filed as an application to modify the license of WQST-FM on FCC Form 302. On October 19, 1994, American Family requested dismissal of the Form 301 application; a substitute application, filed on FCC Form 302, was submitted on October 21, 1994. Accordingly, we will dismiss the erroneously filed Form 301 application.

American Family's request for a waiver of 47 C.F.R. § 73.1125 was resubmitted in its application to modify the license of WQST-FM (BMLH-941021KZ). In support of its request for waiver, American Family has pledged to undertake the following:

1. Add to its Community Advisory Board at least one resident from Forest, Mississippi who will be asked to provide recommendations on community needs and programming directly to the management of American Family.

2. Annually conduct interviews with residents and community leaders to assess community needs and programming.

3. Provide equipment at the transmitter site for insertion of local programming, to be controlled from the Tupelo, Mississippi facility. American Family has arranged with a resident of Forest to produce a weekly program for transmission in this manner.

4. Provide periodic local programming, produced in the WAFR-FM studio, for Forest, including coverage of significant local news or cultural events.

5. Provide for the broadcast of local public service announcements.

6. Maintain a toll-free telephone number between Forest and WQST-FM's main studio in Tupelo, Mississippi.

The Commission has stated that "we 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. These stations, however, have not been permitted to ignore local service obligations, and waivers generally have been granted only upon a showing that the local community would be served."

Memorandum Opinion and Order in MM Docket No. 86-406, 3 FCC Rcd 5024 (1988). Thus, local needs should be met by this applicant.

We have determined that American Family has established that its centrally programmed simultaneous schedule will serve the problems, needs and interests of Forest, Mississippi. Accordingly, 47 C.F.R. § 73.1125(a)(4) IS HEREBY WAIVED to the extent indicated herein. Additionally, American Family's construction permit application to modify the facilities of WQST-FM (BPH-940124IG) IS HEREBY DISMISSED pursuant to its request. Lastly, American Family's application to modify the license of WQST-FM, Forest, Mississippi from a commercial to noncommercial, educational station, being in all respects acceptable, IS HEREBY GRANTED. The license authorization will be forwarded under separate cover.

Sincerely,

Dennis Williams

Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau