

FCC MAIL SECTION
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D. C. 20554

JUN 12 2000

IN REPLY REFER TO:

1800B3-MFW

Jeffrey D. Southmayd, Esq.
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Suite 400
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Washington, D.C. 20036

In re: **WLPG(FM), Florence, SC**
Facility ID # 9083
BPED-981102IF
Request for Waiver of 47 C.F.R. §73.1125

Dear Mr. Southmayd:

The staff has under consideration the captioned request, filed on November 2, 1998 by Augusta Radio Fellowship Institute, Inc. ("ARFI"), permittee of new station WLPG(FM), Florence, South Carolina, for waiver of the Commission's main studio rule, 47 C.F.R. § 73.1125 in order to operate WLPG(FM) as a "satellite" of ARFI's station WLPE(FM), Augusta, Georgia.¹ For the reasons set forth below, we will grant ARFI's request for waiver.

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 has found that "good cause" exists to waive the main studio location requirement where satellite operations are proposed. *Id.* In order to receive a satellite main studio waiver, an applicant must demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. *Id.*

¹ 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 RR 2d 1554, 1562 (1964).

ARFI's request is based on the economies of scale which would be realized by grant of its waiver, *i.e.*, avoiding the cost of equipping, operating, and staffing a main studio in the Florence, South Carolina area. We conclude that ARFI has demonstrated "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. As noted above, ARFI proposes to operate WLPG(FM) as a satellite of co-owned station WLPE(FM), Augusta, Georgia. The proposed Augusta studio is approximately 150 miles from Florence. Where there is a considerable distance between parent and satellite stations and when, as here, the parent and satellite stations are in different states, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests and respond to them in its programming. To that end, ARFI has stated that it will: (1) ascertain the problems, needs, and interests of Florence through a local citizens advisory board consisting of Florence residents, which will meet periodically with ARFI management; (2) supplement the efforts of the advisory board with a local ARFI representative in Florence and through annual visits to Florence by an ARFI management-level employee; (3) hold at least one well-advertised, open meeting in Florence each year to receive input from listeners and community leaders; and (4) address the problems, needs, and interests discerned by the advisory board, local representative, and periodic meetings in the news and public affairs programming aired on WLPG(FM). ARFI also indicates that it will include regular news insertions in its local broadcasts on WLPE(FM) in include segments of interest to residents of Florence. Finally, ARFI states that it will provide for a toll-free telephone line from Florence to the WLPE(FM) studio in Augusta and maintain its public file within the community of Florence. In these circumstances, we are persuaded that ARFI will meet its local service obligations and thus that grant of the requested waiver is consistent with the public interest.

Accordingly, in reliance upon the representations listed above, the request (File No. BPED-981102IF) of Augusta Radio Fellowship Institute, Inc. for waiver of 47 C.F.R. §73.1125 IS GRANTED.²

Sincerely,



Linda Blair, Chief
Audio Services Division
Mass Media Bureau

cc: Augusta Radio Fellowship Institute, Inc.

² We remind ARFI that the Commission has recently revised its main studio and public file rules to require that all stations, including noncommercial educational stations operating as "satellites," to maintain their public files at the specified main studio location. Accordingly, WLPG(FM) must keep its public file at the KAMY(FM) studio facility. It must also make reasonable accommodation for listeners wishing to examine the file's contents. *Memorandum Opinion and Order* in MM Docket No. 97-138, 14 FCC Rcd 11,113 (released May 28, 1999), 64 Fed. Reg. 35,941 (July 2, 1999).