

MAIN STUDIO WAIVER

Educational Media Foundation ("EMF"), the proposed assignee of FM radio station KRSA(FM), Moss Beach, California, hereby respectfully requests a waiver of Section 73.1125 of the Commission's rules (hereinafter referred to as the "main studio rule") to permit the relocation of the main studio of KRSA(FM) from its location within the principal community contour of KRSA(FM), to the main studio of EMF's co-owned station KLVR (NCE-FM), Middletown, California. The proposed studio location is approximately 102.2 kilometers (63.5 miles) outside of the 3.16 mV/m contour of KRSA(FM).

EMF proposes to operate KRSA(FM) as a "satellite" station of KLVR. KRSA(FM) will be part of a network of radio broadcast stations operated by EMF known as the "K-LOVE Radio Network." EMF is a non-profit corporation and each network station operates noncommercially and broadcasts the noncommercial educational programming carried on the K-LOVE Radio Network. By co-locating KRSA's main studio with KLVR, Middletown, CA, EMF will realize valuable economies of scale and cost savings, which are needed to maintain the high quality of K-LOVE's noncommercial educational programming. As a listener-supported station, KRSA(FM) will face financial constraints. The obligation to maintain separate staffing and studio locations for both KRSA(FM) and KLVR will place a serious financial burden on EMF and divert the limited resources available for K-LOVE's programming efforts.

To ensure that KRSA fulfills its local service obligations to the residents of Moss Beach, California, EMF will have a local public affairs representative, who may be a volunteer, available in the community of Moss Beach, California. This local representative will, at least on a quarterly basis, conduct interviews and surveys of local community leaders and other residents to ascertain the interests, concerns, and needs of the Moss Beach listeners. EMF will then address the recurrent issues, problems, and needs of the residents of Moss Beach in K-LOVE's news and public affairs programming.

EMF's local representative will further serve as a liaison between the residents of Moss Beach and EMF's programming personnel. Finally, EMF will maintain a toll-free telephone number, as required by Section 73.1125(d) of the rules, and maintain a public inspection file for KRSA(FM) at the main studio of its parent station, KLVR(FM), Middletown, California, as required by Section 73.3527 of the Commission's rules, and make reasonable accommodation to listeners wishing to examine the file's contents.

Under Section 73.1125 of the Commission's rules, a broadcast station must maintain its main studio (a) within the station's community of license; (b) at a location within the principal

community contour of any AM, FM, or TV broadcast station licensed to the station's community of license; or (c) within 25 miles from the reference coordinates of the center of the station's community of license, except when "good cause" exists for locating the main studio at an alternate location. The Commission traditionally considers waiver requests by noncommercial educational stations on a case-by-case basis. See Main Studio and Program Origination Rules, 3 FCC Rcd 5024 (1988); see also Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations, 13 FCC Rcd 15691, 15695 n.18 (1998). In the context of noncommercial waiver requests, the Commission has expressly and implicitly found "good cause" to exist in numerous instances based solely upon a showing that centralized operations will provide an economic benefit to noncommercial stations which have limited funding, provided that local service obligations are met. See Letter to Roy R. Russo, Esq., dated January 24, 1994; Letter to Richard J. Bodorff, dated January 2, 1992; The President and Board of Trustees of the Miami University, 7 FCC Rcd 2902 (1992); The Cedarville College, 6 FCC Rcd 538 (1991); Letter to Gerald Stevens-Kittner, Esq., dated July 15, 1991; Sound of Life, Inc., 4 FCC Rcd 8273 (1989); Lift Him Up Outreach Ministries, Inc., 3 FCC Rcd 5571 (1988); Georgia State Board of Education, 70 F.C.C.2d 948 (1979), recon. denied, 71 F.C.C.2d 227 (1979); Nebraska Educational Television Comm'n, 4 R.R.2d 771 (1965).

EMF respectfully submits that the instant request presents substantially the same showing of good cause and public interest benefits as each of these waivers noted above. In each case, the Commission staff determined that the waivers were justified on the basis of the limited funding available to the stations and the increased efficiencies resulting from co-location of studios. Like these other waiver applicants, EMF will also experience financial difficulties in maintaining separate staffing and separate facilities for its "parent" and "satellite" stations. EMF will also be fully capable of fulfilling its local service obligations in the same manner as each of these other applicants.

In view of the foregoing, EMF requests that the Commission find pursuant to Section 73.1125(b)(2) of the Commission's rules that the public interest will be served by the consolidation of KRSA's main studio with KLVR's main studio, and authorize EMF to locate KRSA's main studio outside of the city grade community and contour of the station and more than 25 miles from the reference coordinates of the center of Moss Beach, California.