

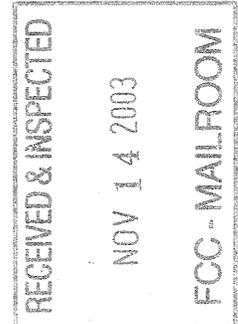
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**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

NOV 13 2003

**In Reply Refer To:
1800B3-MAT**

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In Re: WPVA(FM), Waynesboro, VA
CSN International
File No. 20020618AAX
Facility ID No. 53099
Request for Waiver of § 73.1125
(Main Studio Rule)

Dear Counsel:

The staff has under consideration the above-referenced June 18, 2002 request for a waiver of the Commission's main studio requirement, 47 C.F.R. § 73.1125, filed by CSN International ("CSN"). CSN, licensee of noncommercial educational ("NCE") station WPVA(FM), Waynesboro, Virginia, seeks a waiver of the main studio requirement in order to operate WPVA(FM) as a satellite¹ of its commonly-owned NCE station WJYJ(FM), Fredericksburg, Virginia. For the reasons set forth below, we will waive Section 73.1125.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license; (2) within the principal community contour of any other broadcast station licensed to its community; or (3) within 25 miles of the center of the community of license.² However, under Section 73.1125(b)(2), 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 a 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.³ A satellite station must,

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).

² *See 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 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").

³ *Id.*

however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.⁴

CSN's request is based on the economies of scale which would be realized by a grant of its waiver. We agree and conclude that there is good cause to waive 47 C.F.R. § 73.1125(a) in these circumstances. CSN proposes to operate WPVA(FM) as a satellite of WJYJ(FM), Fredericksburg, Virginia, approximately 100 miles from Waynesboro, Virginia. Where there is a considerable distance between parent and satellite stations, as here, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, CSN has pledged to: (1) retain a local representative in Waynesboro who will ascertain local issues of interest and concern to the residents of that community and advise WJYJ(FM)'s management of such issues on at least a quarterly basis; (2) include in its local news programming and public service announcements events pertaining to Waynesboro and will broadcast programs addressing the issues ascertained in Waynesboro and (3) maintain a local public inspection filed in Waynesboro (as well as at the WJYJ(FM) main studio) and a toll-free telephone number for residents in Waynesboro who wish to reach the WJYJ(FM) studios.

Under these circumstances, we are persuaded that CSN will meet its local service obligations and thus, grant of the requested waiver is consistent with the public interest. We remind CSN that notwithstanding its commitment to maintain a public inspection file in Waynesboro, it must also maintain a public file for the Waynesboro station at the main studio of the parent station, WJYJ(FM), Fredericksburg, Virginia. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind CSN that, notwithstanding the grant of the waiver requested here, the public file for the station must contain the quarterly issues and programs list, as required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the request for waiver of 47 C.F.R. § 73.1125 (File No. 20020618AAX) filed by CSN International IS GRANTED.

Sincerely,

Risa Scanlon

Peter H. Doyle, Chief *for*
Audio Division
Office of Broadcast License Policy
Media Bureau

cc:

Cary Tepper, Esq.

⁴ *Id.*

⁵ See *Reconsideration Order*, 14 FCC Rcd at 11129.