

THE WBEZ ALLIANCE, INC.
Request for Waiver of "Main Studio" Rule for WAJW(FM) Minor Modification
FCC Form 340
Exhibit 13

The WBEZ Alliance, Inc. ("WBEZ") hereby requests a waiver of Section 73.1125(a) of the Commission's Rules, to the extent necessary, in order to permit the operation of WAJW on a non-commercial educational basis at Chesterton, IN as a satellite station with a main studio not located in the city of license or other location as specified in §73.1125(a). If granted, the WAJW main studio would be located in the existing radio studio complex at 848 East Grand Avenue, in Chicago, IL, which is available at little incremental cost. WBEZ fully intends to fulfill its local service obligations to the Chesterton, IN community located in Porter County, IN. However, for the reasons set forth, the applicant believes that the public interest would be served by a waiver of the main studio rule, so that the main studio may be located in Chicago, IL. WAJW is located about 65 km (40 miles) from the proposed main studio in Chicago, IL.

The applicant is a nonprofit organization that operates pioneer public radio station WBEZ(FM) in Chicago, which has been on the air since 1942. The applicant has determined that it would be financially infeasible to operate WAJW on a non-commercial basis entirely from a main studio in Chesterton, IN. Rather, the applicant proposes to operate WAJW from the existing studios in Chicago to enable the production of a program service of higher quality than would otherwise be possible. The applicant intends to provide the public a broad-based cultural and information programming service drawing upon resources from National Public Radio, Public Radio International, and other established public radio program sources. The applicant believes that it would be financially prohibitive to staff a main studio in Chesterton, IN.

According to the applicant, installing, operating and maintaining a studio in Chesterton, even with minimal staffing of 1 full-time employee available Monday-Friday at modest wage, would require the applicant to invest \$60k annually. These sums significantly exceed the predicted financial support that the applicant believes can be realized from this town of 10,000 persons in support of the WAJW's non-commercial public radio operation.

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In order to better ascertain the needs and interests of the Porter County area, the applicant will subscribe to the *Chesterton Tribune*, the town's only daily newspaper, and will make periodic visits to the Porter County area in an effort to understand and respond to the issues and concerns of the community. Moreover, the applicant will assure that the news and cultural programming provided over WAJW includes programming with contributions from Porter County. The applicant will continue its long and close association with individuals and institutions in Porter County for the purpose of assuring that programming from that area, which is responsive to those interests and needs, is developed and broadcast. In order to fulfill its local program service responsibilities, and based upon its quarterly ascertainment of community needs, *WBEZ* intends to incorporate into WAJW's news, public affairs and cultural programs programming of unique concern to the residents of Porter County.

In addition, the applicant will cover significant events, including cultural events, political campaigns and election results, in Chesterton and the immediate vicinity. *WBEZ* will deploy personnel to cover the problems, needs and interests of the Chesterton/Porter County community and regularly consult with local civic and community leaders as part of its ongoing ascertainment efforts and take into account the findings of such ascertainment efforts in developing the applicant's news and public affairs programs. To facilitate listener input from the Chesterton/Porter County community, the applicant will maintain a web page which solicits public feedback on WAJW's programming. In compliance with the Commission's recently revised Rules regarding the location of public files, *WBEZ* will maintain the public inspection file at its Chicago studios, and will establish a toll-free telephone number in order that Porter County residents may call the Chicago studios without incurring any toll charges and may request information from WAJW's public files. *WBEZ* will also make available to Porter County listeners, upon request, a copy of the Commission's "*The Public and Broadcasting*" free of charge.

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The Commission has on previous occasions waived the main studio rule for other noncommercial broadcast licensees. In Nebraska Educational Television Commission, 4 RR 2d 771 (1965) the Commission, recognizing the economic realities of public broadcasting, authorized operation of a statewide network of stations in order that public broadcasting service might be provided in the most cost-effective fashion.

The grant of the requested waiver would allow the provision of a programming service for Chesterton on an economic basis which is supportable by the community's residents and by the applicant and which provides the greatest amount of public service at the lowest cost. In adopting the current version of Section 73.1125 of its rules, the Commission explicitly recognized the continuing viability of the public interest considerations that warrant the grant of waivers of the main studio rule for non-commercial stations. See Report and Order in MM Docket 80-406, 2 FCC Rcd 3215, 3224, n.10 (1987) modified in part 65 RR2d 119, 125-26 (1988). The instant waiver request meets the good cause standard applied in previous cases and should therefore be granted.