

FEDERAL COMMUNICATION COMMISSION
WASHINGTON, DC 20554
MAY 02 2005

IN REPLY REFER TO:
1800B3-EB

John C. Trent, Esq..
Putbrese, Hunsaker & Trent, P.C.
200 South Church Street
Woodstock, Virginia 22664

In Re: KPSH(FM) Coachella, California
Family Worship Center Church, Inc.
Facility ID No. 87604

File No. BLED-20031223ABE
License to Cover

Request for Waiver of 47 C.F.R.
§73.1125 (Main Studio Rule)

Dear Counsel:

The staff has under consideration the referenced application for a license to cover KPSH(FM), a noncommercial educational ("NCE") FM station in Coachella, California, filed by Family Worship Center Church ("FWCC"). In the application, FWCC also seeks a waiver of the Commission's main studio requirement, 47 C.F.R. Section 73.1125, in order to operate KPSH(FM), as a "satellite" of its NCE FM station WJFM(FM), Baton Rouge, Louisiana.¹ For the reasons set forth below, we shall grant FWCC's waiver request and its application.

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 its community of license.² However, under Section 73.1125(b)(2), the Commission will waive these requirements 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 is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operation 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

¹ A "satellite" 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*, 3RR2d 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.*

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

FWCC's request is based on the economies of scale which would be realized by grant of its waiver, e.g., avoiding the cost of equipping, staffing, and operating a studio in the Coachella area. We agree and conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) under these circumstances. FWCC proposes to operate KPSH(FM), Coachella, California, as a satellite station of WJFM(FM), Baton Rouge, Louisiana, approximately 1,485 miles from Coachella. Where there is significant distance between the parent and satellite station, and where the parent and satellite station are in different states, 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, FWCC has pledged to meet its local service obligations by: (1) developing a "volunteer listener program" which will have one to three local listeners committed to being available to check on the transmitter and to provide a local presence for listeners to contact with comments and issues; (2) advertising for the volunteer program in the local newspaper once per quarter encouraging local parties to contact FWCC by either an 800 telephone number, mail or e-mail; (3) engaging in local surveys in Coachella to determine the concerns and needs of the community which would be addressed in the programming from the network as part of its normal broadcast; (4) working to develop a list of concerns and to improve the programming; (5) integrating an on-air question and answer session with local listeners once per week into the programming, and (6) maintaining its public file within the community of license.

In these circumstances, we are persuaded that FWCC will meet its local service obligation and, thus, that grant of the requested waiver is consistent with the public interest. We remind FWCC, however, that, notwithstanding its commitment to maintain a public inspection file in Coachella, it must also maintain a public file for KPSH(FM) at the main studio of the parent station, WJFM(FM), Baton Rouge, Louisiana. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind FWCC 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. Section 73.3527(e)(8).

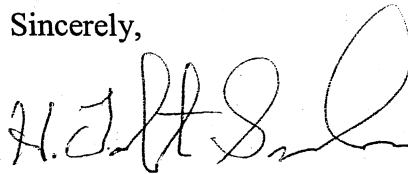
We have examined the application (BLED-20031223ABE) to cover the license for station KPSH(FM). We find that the application complies with all pertinent statutory and regulatory requirements and thus that the public interest, convenience and necessity would be furthered by its grant.

⁴ *Id.*

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

Accordingly, the license application (BLED-20031223ABE) of FWCC for KPSH(FM), Coachella, California, as well as its request for waiver of 47 C.F.R. Section 73.1125 ARE GRANTED. The authorization is enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is fluid and cursive, with a large loop at the end.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau