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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

DISPATCHED JUL 02 1997

IN REPLY REFER TO:
1800B3-ALM

Heidi Atassi Gaffney, Esq.
Fisher Wayland Cooper Leader & Zaragoza L.L.P.
2001 Pennsylvania Avenue, N.W.
Suite 400
Washington, D. C. 20006-1851

Re: KSKD(FM), Sweet Home, Oregon BMLH-970415KD

Dear Ms. Gaffney:

The staff has under consideration the application of Educational Media Foundation ("EMF") to modify the license of radio station KSKD(FM), Sweet Home, Oregon to operate as a noncommercial, educational station. EMF has also requested a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the Sweet Home, Oregon station as a satellite of its noncommercial, educational FM station KLVR in Santa Rosa, California.¹ For the reasons set forth below, we will waive 47 C.F.R. § 73.1125 and grant EMF's application to modify the license of KSKD(FM).

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 found "good cause" exists to waive the main studio location requirement where satellite operations are proposed. Id. A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. Id.


EMF's request is based on the economies of scale which would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. EMF proposes to operate radio station KSKD(FM) as a satellite of noncommercial, educational FM station KLVR, Santa Rosa, California,

¹A "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 RR2d 1554, 1562 (1964).

approximately 410 miles from Sweet Home, Oregon. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, EMF has pledged to: (1) engage the services of a local Sweet Home public affairs representative to conduct regular ascertainment surveys of local community leaders and other residents to determine the concerns and program needs of Sweet Home listeners, which will be covered in EMF's news and public affairs programming; (2) the EMF local representative will serve as a liaison between the residents of Sweet Home and EMF's programming personnel; (3) maintain an auxiliary studio within the KSKD city grade contour which is capable of originating local programming that is responsive to local community needs; (4) maintain a toll free telephone number between Sweet Home, Oregon and KSKD's main studio in Santa Rosa, California; and (5) maintain the KSKD public inspection file in Sweet Home, Oregon. In these circumstances, we are persuaded that EMF will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. Furthermore, EMF has previously demonstrated to the Commission its qualifications to be the licensee of a noncommercial, educational broadcasting station.

Accordingly, the application of Educational Media Foundation for the modification of license of radio station KSKD(FM) (BMLH-970415KD) and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization will be forwarded under separate cover.

Sincerely,



Linda Blair, Chief
Audio Services Division
Mass Media Bureau