

COMMUNITY RADIO FOR NORTHERN COLORADO
Request for Waiver of "Main Studio" Rule for KTAH-FM
FCC Form 314
Section III
Question 3B
October 7, 2005

Community Radio for Northern Colorado (KUNC) hereby requests a waiver of Section 73.1125(a)(1) of the Commission's Rules, to the extent necessary, in order to permit the operation of KTAH-FM on a noncommercial educational basis at Steamboat Springs, CO as a satellite station with a main studio not located in the city of license. If granted the KTAH-FM main studio would be located in the existing radio KUNC-FM studio complex at 822 Seventh Street, Suite 530, in Greeley, CO which is available at little incremental cost. KUNC fully intends to fulfill its local service obligations to the Steamboat Springs, CO community located in Routt County. 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 Greeley, CO. KTAH-FM is located about 150 air miles from the proposed control point in Greeley, CO.

The applicant is a nonprofit organization that operates public radio station KUNC-FM in Greeley, which has been on the air since 1967. The applicant has determined that it would be financially infeasible to operate KTAH-FM on a noncommercial basis entirely from a main studio in Steamboat Springs, CO. Rather, the applicant proposes to operate KTAH-FM from the existing studios in Greeley 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, American Public Media, the BBC, and other established public radio program sources. The applicant believes that it would be financially prohibitive to staff a main studio in Steamboat Springs. Installing, operating and maintaining a studio in Steamboat Springs, 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 about 10,000 persons in support of the KTAH-FM's non-commercial public radio operation.

In order to better ascertain the needs and interests of the Routt County area, the applicant will subscribe to **The Steamboat Pilot**, the town's only daily newspaper, and will make quarterly visits to the Routt 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 KTAH-FM includes programming with contributions from Routt County. The applicant will continue its long and close association with individuals and institutions in Routt 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, KUNC intends to incorporate into its news, public affairs and cultural programs programming of unique concern to the residents of Routt County. In addition the applicant will cover significant

events, including cultural events, political campaigns and election results, in Steamboat Springs and the immediate vicinity. KUNC will deploy personnel to cover the problems, needs and interests of the Steamboat Springs/Routt 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 Steamboat Springs/Routt County community, the applicant will maintain a web page which solicits public feedback on KUNC-FM's programming. In compliance with the Commission's Rules regarding the location of public files, KUNC will maintain the public inspection file at its Greeley studios, and has an established toll-free telephone number in order that Routt County residents may call the Greeley studios without incurring any toll charges. KUNC will also make available to Routt County listeners, upon request, a copy of the Commission's "The Public and Broadcasting" free of charge.

In addition, KUNC would like to note that Mr. Swanson of its board is a full time resident of Steamboat Springs and Ms. Richmond of the board is part-time resident with a second home there. KUNC also currently has 1,027 member files for Steamboat Springs.

By virtue of its proposed operation of KTAH-FM from the Greeley studios of KUNC, KUNC seeks whatever waiver is necessary in connection with the Commission's EAS rules as they relate to KTAH-FM. KUNC is fully compliant with the Commission's EAS rules and conducts all required national and local monitoring from its Greeley studio facilities. It will not be feasible, however, to conduct local EAS monitoring in Steamboat Springs. KUNC instead proposes to notify Routt County and Steamboat Springs emergency authorities that it is prepared to accommodate requests for emergency transmissions if they are directed to KUNC at its Greeley headquarters via telephone, fax or internet. KTAH-FM listeners will of course have full access to national EAS transmissions via the rebroadcast of KUNC programming.

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 this proposed station, under the requested waiver, would allow the provision of a programming service for Steamboat Springs 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 noncommercial 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.