

Request for Waiver of Section 73.1125

The University of Southern California (“USC”), proposed assignee of the license for KDB(FM), Santa Barbara, California (Fac. ID No. 51169), respectfully requests that, upon consummation of the assignment, the Commission waive the main studio rule, 47 C.F.R. § 73.1125, to permit USC to operate KDB as a “satellite” of commonly-controlled noncommercial educational station KUSC(FM), Los Angeles, California (Fac. ID No. 69318). As demonstrated below, grant of this request “would be consistent with the operation of the station in the public interest.” 47 C.F.R. § 73.1125(b)(2).

Upon consummation of the transaction contemplated herein, USC will be the licensee of six noncommercial FM stations in Southern California (including KDB).¹ Station KUSC(FM), Los Angeles, CA is USC’s flagship facility. Three radio stations – KDSC(FM), Thousand Oaks, CA; KESC(FM), Morro Bay, CA; and KPSC(FM), Palm Springs, CA – are authorized by the FCC to operate as “satellites” of KUSC. USC is also the licensee of a sixth station – KXSC(FM), Sunnyvale, CA – which is authorized by the FCC to operate as a “satellite” of KDFC(FM), Angwin, CA. USC expects that KDB will retransmit one hundred percent of the programming that originates on KUSC, which is predominantly classical music.

Absent a waiver, a station’s main studio “must, at a minimum, maintain full-time managerial and full-time staff personnel.” *Jones Eastern of the Outer Banks, Inc.*, FCC 91-175 ¶ 9 (rel. June 19, 1991); *see also Salem Broadcasting, Inc.*, DA 91-804 (rel. July 2, 1991). However, given the limited funding available to noncommercial educational stations, the Commission has recognized the benefits of centralized operations for NCE stations and granted waivers to allow of “satellite” operations that do not necessarily meet the requirements of the main studio rule. *Main Studio and Program Origination Rules*, 3 FCC Rcd 5024, 5027 (1988). USC respectfully submits that a similar result is warranted here.

Waiver of Section 73.1125 would substantially increase USC’s ability to deliver programming that will serve the needs of Santa Barbara residents. Upon grant of this request, USC will satisfy the public needs and interests of residents of Santa Barbara by the following means:

- USC will create a local community advisory board for KDB that will meet twice each year. During those meetings, USC’s Executive Producer for arts programming will meet with local organizations focused on the arts in order to ascertain the needs and interests of the arts community. USC management will consider the input it receives during these meetings when making programming decisions to ensure that KDB responds to local concerns and reflects the interests of its listening audience.

¹ In addition, USC is the 90% owner of Classical Public Radio Network LLC, licensee of noncommercial educational stations KDFC and KOSC(FM), San Francisco, CA.

- USC will maintain a toll-free telephone line and email address by which residents of the Santa Barbara area can reach USC management with programming suggestions and to express concerns about KDB's operations.
- USC will maintain a robust website that will allow local residents to access information about USC programming and to communicate concerns about KDB's operations to station management. Among a wealth of other features, the site will contain programming descriptions, streaming audio feeds, and information about local events.
- USC will make the contents of KDB's local public inspection file available on line, which will provide residents of Santa Barbara with easy access to the station's public records.

The Commission has relied on similar representations in finding that waivers of the main studio rule for stations controlled by USC serve the public interest. *See, e.g.*, FCC File No. BMLED-20120329AII (modifying the license for KCNL(FM) (now KXSC(FM)) to specify operation on a noncommercial basis and waiving the main studio rule); *see also* FCC File No. BMLED-20090210ABS (modifying the license for KXTY(FM) (now KESC)).

USC submits that waiver of the main studio rule will enable it to ascertain and satisfy the interests and needs of the residents of the Santa Barbara area. Accordingly, USC respectfully requests that the Commission waive Section 73.1125 to permit USC to operate KDB as a satellite of commonly-owned KUSC.