

**FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554**

**IN REPLY REFER TO:
1800B3-ALM**

August 3, 2004

Donald E. Martin, Esquire
6527 Bay Tree Court
Falls Church, Virginia 22041

In re: KSOH(FM), Wapato, Washington
Facility ID No. 10023
LifeTalk Radio, Inc.
Request For Waiver of 47 C.F.R. Section
73.3521 (Main Studio Rule)

Dear Mr. Martin:

The staff has under consideration the October 28, 2003¹ request for waiver of 47 C.F.R. Section 73.1125 filed by LifeTalk Radio, Inc. ("LifeTalk") to operate KSOH(FM), Wapato, Washington, as a satellite station of its commonly owned noncommercial educational ("NCE") station, KCSH(FM), Ellensburg, Washington.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community.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 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.³ A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard.⁴

¹ A supplement to this request was submitted on May 3, 2004.

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.*

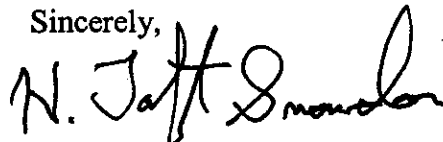
⁴ *Id.*


LTR proposes to operate KSOH(FM), Wapato, Washington, as a satellite station of KCSH(FM), Ellensburg, Washington, which is located 40 miles from Wapato. The Commission expects the licensee of a satellite station to take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, LTR has pledged to: (1) maintain a functioning studio in Wapato staffed by part-time programming, production, and development personnel; (2) develop and maintain local contacts with community leaders in Wapato to ascertain the local needs and interests; (3) establish and convene every six months a community advisory board comprised of residents of Wapato and the KSOH service area to review needs and interests of the community and suggest to LTR management how the station might address these needs in its programming; (4) air programming that responds to ascertained needs and interests of Wapato including coverage of events and institutions of local interest; (5) maintain a duplicate public inspection file for KSOH(FM) within the station's service area; and (6) maintain a toll-free telephone number between Wapato and the KCSH(FM) main studio.

In these circumstances, we are persuaded that LTR will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest. However, we remind LTR, of the requirement that it maintain the public file for KSOH(FM) at the main studio of the "parent" station, KCSH(FM). It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁶ We further remind LTR that, notwithstanding the grant of the waiver requested here, the public file for KSOH(FM) must contain the quarterly issues and programs list for Wapato, Washington, as required by 47 C.F.R. Section 73.3527(e)(8).

Accordingly, the requests for a waiver of 47 C.F.R. Section 73.1125 filed by Life Talk Radio, Inc. for KSOH(FM) IS HEREBY GRANTED.

Sincerely,



 Peter H. Doyle, Chief
Audio Division
Media Bureau

⁶ See *Reconsideration Order*, 14 FCC Rcd 11113, 11129 at Paragraph 45.