

Request for Modification of Main Studio Waiver

Family Stations, Inc. ("FSI"), licensee of Station KEAF (FM), Facility ID No. 89309, Fort Smith, AR, respectfully requests a modification of its waiver of the Commission's main studio rule, 47 C.F.R. Section 73.1125, to allow KEAF, a satellite station of Noncommercial Educational Station WBFR (FM), Facility ID No. 20989, Birmingham, AL, to become a satellite station of KEAR (AM), Facility ID No. 1082, San Francisco, CA, the main studio of which is located at the FSI Network headquarters in Oakland, CA, and to permit KEAF to satisfy the public file requirement through Internet access rather than requiring a paper file to be maintained in Fort Smith, AR.

The Commission has repeatedly recognized the benefits of centralized operations for NCE stations, given their limited funding, and thus has found that good cause exists to waive the main studio rule where NCE satellite operations are proposed. *See, e.g., Letter from H. Taft Snowden to Alan C. Campbell*, 1800B3-MH (2002) (granting waiver of the main studio rule to permit WEFB (FM), Erie, PA to operate as a satellite of co-owned WJCH (FM), Joliet, IL) ("*WEFB Waiver*"); *Delmarva Education Association*, 19 FCC Rcd 6792 (2004); *Amendment of Section 72.1125 and 73.1130 of the Commission's rules*, 3 FCC Rcd 5024, 5027 (1988). In each such case, the Commission staff determined that the waivers were justified on the basis of the limited funding available to the stations, the increased efficiencies resulting from co-location of studios, and the public interest benefits that result from such satellite operation.

FSI is a non-profit corporation that produces and delivers, via satellite or Internet delivery, FSI (Family Radio Network) noncommercial educational programming to more than 60 NCE radio broadcast stations across the United States. The majority of the FSI stations currently operate pursuant to main studio waivers. *See e.g., WEFB Waiver, supra*.

KEAF is one of those stations, and it has successfully operated as a satellite station for over 4 years without complaints from the community about its lack of a local main studio. However, the requirement to maintain a paper public file in Fort Smith, AR is a financial and administrative burden which diverts FSI's limited resources from its programming efforts; if FSI is able to centralize the public file operations of KEAF with other stations using its website, it will be able to substantially reduce its compliance costs and direct more money to its programming, while making it easier for residents to obtain the information it contains.

In consideration of the public interest obligations incumbent on broadcast licensees, FSI proposes the following to ensure that KEAF fulfills its local service obligations to the residents of

Fort Smith, AR: (i) on at least a quarterly basis an employee representative of FSI will conduct interviews and surveys of local community leaders and residents to ascertain the needs, interests, and concerns of Fort Smith listeners, which feedback will be used to develop responsive local public affairs programming; (ii) FSI will establish and advertise a toll-free telephone number for use by residents of Fort Smith to contact FSI personnel about the station; and (iii) FSI will make the contents of the KEAF public inspection file, which will be maintained at the KEAR studio, available on the Internet and provide accommodations for listeners wishing to review the contents of the public file.

In light of the foregoing, pursuant to Section 73.1125(b)(2) of the Commission's rules, FSI requests that the Commission find that the public interest will be served by the modification of KEAF's main studio waiver to allow it to operate as a satellite station of KEAR (AM), San Francisco, CA, and to allow for the posting of its public file on the Internet instead of at a location in Fort Smith, AR, and therefore that good cause exists to grant a modified waiver of the main studio rule in this instance.