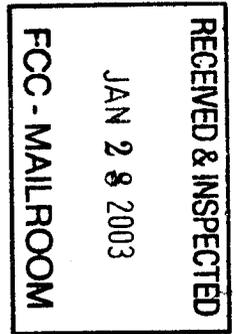


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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

January 27, 2003

IN REPLY REFER TO:
1800B3-EB



Gary S. Smithwick, Esq.
Smithwick & Belendiuk, P.C.
5028 Wisconsin Avenue, N.W.
Suite 301
Washington, DC 20016

In Re: WYFQ-FM, Wadesboro, NC
Bible Broadcasting Network, Inc.
Facility ID No. 73965

Request for Waiver of 47 C.F.R. §
73.1125 (Main Studio Rule)

Dear Counsel:

The staff has under consideration Bible Broadcasting Networks, Inc. ("BBN") request for a waiver of the Commission's main studio requirement, 47 C.F.R. Section 73.1125, in order to operate WYGQ-FM, Wadesboro, North Carolina as a "satellite" station of its commonly owned noncommercial educational ("NCE") FM station WYFQ(AM), Charlotte, North Carolina. For the reasons set forth below, we will waive Section 73.1125 and grant BBN's request.

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

BBN's request is based on the economies of scale which would be realized by grant of its waiver, e.g., avoiding the cost of equipping, staffing, and operating a studio in the Wadesboro area. We agree and conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) under these circumstances. As noted above, BBN proposes to operate the Wadesboro facility as a

¹ 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").

² *Id.*

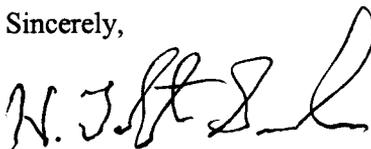
³ *Id.*

satellite of WYFQ(AM), Charlotte, North Carolina, approximately 50 miles from Wadesboro, North Carolina. Where there is considerable distance between the parent and the satellite station, we are particularly concerned that the permittee licensee takes adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, BBN has pledged to meet its local service obligations by: (1) having at least one resident from the Wadesboro listening area on the advisory board who will, at least quarterly, ascertain the needs and interests of WYFQ(FM)'s listening audience; (2) employing a part-time staff member at WYFQ(FM), who will work under the supervision of a BBN general manager who will visit the station weekly; (3) maintaining a toll-free number from Wadesboro to the WYFQ(AM) studio in Charlotte; and (4) maintaining a public inspection file for the station within Wadesboro.

In these circumstances, we are persuaded that BBN will meet its local service obligation and thus that grant of the requested waiver is consistent with the public interest. We remind BBN, however, of the requirement that it maintain a public file for the Wadesboro, North Carolina station at the main studio of the "parent" station, WYFQ(AM) Charlotte, North Carolina. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁴ We further remind BBN that, notwithstanding the grant of waiver requested here, the public file for the WYGFQ(AM) must contain the quarterly issues and programs list for the Wadesboro, North Carolina facility as required by C.F.R. Section 73.3527(e)(8).

Accordingly, the request made by Bible Broadcasting Network, Inc. for waiver of 47 C.F.R. Section 73.1125, IS GRANTED.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Taft Snowdon". The signature is fluid and cursive, with a large loop at the end.

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

⁴ See *Reconsideration Order*, 14 FCC Rcd at 11129, Paragraph 45.