

1776 K STREET NW
WASHINGTON, DC 20006
PHONE 202.719.7000
FAX 202.719.7049

7925 JONES BRANCH DRIVE
McLEAN, VA 22102
PHONE 703.905.2800
FAX 703.905.2820

www.wileyrein.com

Stamp and Return

RECEIVED - FCC

JUL 12 2007

Federal Communications Commission
Bureau / Office

Todd M. Stansbury
202.719.4948
tstansbury@wileyrein.com

July 12, 2007

VIA HAND DELIVERY

Lewis Pulley
Assistant Chief, Policy Division
Media Bureau/EEO Staff
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

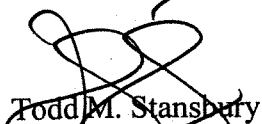
**Re: Response to Broadcast EEO Audit Letter
Minnesota Public Radio
Station KZSE(FM), Rochester, MN
Facility ID No. 42929**

Dear Mr. Pulley:

On behalf of Minnesota Public Radio, licensee of the above-referenced broadcast station, which is part of a station employment unit ("SEU") based in Rochester, MN, the undersigned submits the SEU's response to your letter of June 12, 2007 concerning compliance with the Commission's Equal Employment Opportunity rules, 47 C.F.R. § 73.2080. In accordance with your request, this submission consists of a sworn statement by Tom Kigin, Executive Vice President and General Counsel of the licensee.

Should any questions arise concerning this submission, kindly contact the undersigned.

Respectfully submitted,



Todd M. Stansbury

Counsel to Minnesota Public Radio

cc: Mitzi T Gramling, Associate General Counsel

**Declaration of Tom Kigin, Executive Vice President, Minnesota Public Radio, Licensee of
KZSE(FM) (the "Signatory")**

I, Tom Kigin, Executive Vice President and General Counsel of Minnesota Public Radio, do hereby declare as follows:

1. I am the Executive Vice President and General Counsel of Minnesota Public Radio, the licensee of Station KZSE(FM), which is part of a station employment unit based in Rochester, Minnesota and which includes KLSE-FM, KZSE(FM) and KMSE(FM) (the "Rochester SEU"). The stations in this SEU are commonly owned and controlled by Minnesota Public Radio ("MPR"). This Statement and relevant attachments are being submitted in response to the June 12, 2007 letter of Lewis C. Pulley, Assistant Chief of the Policy Division of the Commission's Media Bureau, concerning a random audit of the station's EEO compliance (the "EEO Audit Letter").

2. The Rochester SEU currently employs five or more full-time employees, as the term is defined in the Commission's broadcast EEO rule, 47 C.F.R. § 73.2080(e)(1).

3. In response to Question 3(a) of the EEO Audit Letter, the Rochester SEU's most recent EEO public file report, as described in 47 C.F.R. § 73.2080(c)(6), is appended at Attachment 1. The website addresses of the stations in this SEU are as follows: <http://minnesota.publicradio.org/about/mpr/fcc/kzse/>, <http://minnesota.publicradio.org/about/mpr/fcc/klse/>, and, <http://minnesota.publicradio.org/about/mpr/fcc/kmse/>. A copy of the report is currently posted on each of these websites, and can also be accessed via these MPR websites: www.mpr.org and <http://minnesota.publicradio.org/about/mpr/fcc/>.

As noted on the EEO public file report, it was not created until July, 2007 as station personnel responsible for EEO compliance were not aware that a part-time employee was promoted to a full-time position on September 5, 2006. This September 5th promotion marked the first time since the effective date of the Commission's current EEO rules that the Rochester SEU became subject to the Commission's outreach provisions. As a result, the Rochester SEU's most current EEO public file report is the first that the SEU has had to create since the FCC's rules were implemented, and covers only an abbreviated period of time, September 5, 2006-November 22, 2006.

4. In response to Question 3(b) of the EEO Audit Letter, no full-time vacancies were filled during the applicable reporting period. As a result, no vacancy documentation is included. There were no sources that notified the SEU that they want to be notified of job openings at the unit, as described in § 73.2080(c)(1)(ii).

5. In response to Question 3(c) of the EEO Audit Letter, no full-time vacancies were filled during the applicable reporting period. As a result, no interviewee data is supplied herein.

6. In response to Question 3(d) of the EEO Audit Letter, documentation concerning the Rochester SEU's performance of recruitment initiatives described under § 73.2080(c)(2) during this time period is appended at Attachment 2. Station personnel involved in the recruitment initiatives are noted in the documentation. The Rochester SEU currently employs a total of five full-time employees and is located in a community with a population of less than 250,000. Since the applicable reporting period was an abbreviated one, it is our understanding that the SEU was required to perform at most one-half of an initiative.¹

¹ MPR is the licensee of numerous other stations in different geographic locations and participates in a large number of qualified recruitment activities for specific job openings in other SEUs and for general recruitment in

7. In response to Question 3(e) of the EEO Audit Letter, the licensee affirms that it is not aware of any complaints alleging unlawful discrimination in the employment practices of this SEU filed during the current license term.

8. In response to Question 3(f) of the EEO Audit Letter, the licensee affirms that MPR has created and deployed an EEO compliance plan, with the assistance of our outside communications counsel, Wiley Rein LLP ("Wiley Rein"). We have obtained and disseminated copies of Wiley Rein's "EEO Basics Binder" to our Human Resources staff in conjunction with the effective date of the current EEO regulations. The EEO Basics Binder contains advice on how SEUs are to engage in broad recruitment for job vacancies and undertake recruitment initiatives and provide sample forms for collecting and maintaining the necessary recruitment data.

At the corporate level, Mary Nease, MPR's Senior Vice President-Human Resources, is responsible for overseeing our company's EEO compliance. At the local level, the Rochester SEU's compliance efforts include identifying MPR's efforts to afford equal employment opportunities to employees through statements disseminated in job applications and posted in conspicuous areas within the workplace, statements on our website and in our Employee Handbook and Manager's Handbook.

Further, MPR's efforts to afford equal employment opportunities are evidenced by the following, which helps publicize our employment opportunities and demonstrate MPR's commitment to a diverse workforce to the public and our current employee base:

- our equal opportunity employment statement accompanies all job posting announcements;
- the MPR website advertises recruiting events at which MPR will be represented;
- the MPR website also includes our Statement of Goals for Cultural Diversity;
- the MPR Employee Handbook, which is distributed to all employees, reinforces the fact that MPR internally posts and externally advertises openings, seeking a diverse pool of qualified candidates;
- MPR's Business Conduct Guidelines, which are laid out in the MPR Employee Handbook, include the company's Cultural Diversity Statement and Equal Opportunity Statement;
- the MPR's Manager's Handbook for HR Practices, which is distributed to all managers in the company, includes a copy of MPR's statements of Equal Employment Opportunity and Posting a Job, the latter of which provides detailed instructions to managers on how to initiate recruitment for a new vacancy in conjunction with MPR's Human Resources department; and,
- MPR's Human Resources Department advertises all internship openings on MPR's website, with colleges and universities throughout the country, and with minority associations.


9. In response to Question 3(g) of the EEO Audit Letter, the licensee affirms that the SEU understands that it must periodically analyze the effectiveness of its EEO recruitment program by reviewing the productivity of sources on its recruitment lists and the outcome of its recruitment


all its SEUs as vacancies arise. To the extent other vacancies arise in the Rochester SEU, MPR's numerous other recruitment activities benefit the Rochester SEU as well.

initiatives. The Recruitment Manager for MPR regularly reviews and adds sources to MPR's recruitment source list, including colleges, universities, professional associations, councils, foundations, general and trade publications, and other job boards deemed appropriate for a given position or profession. Additionally, the Recruitment Manager reviews the outcome of participation in local, regional and national job fairs on an annual basis to determine whether or not the job fair yielded qualified applicants and if so, how many direct hires were made as a result of participation.

10. In response to Question 3(h) of the EEO Audit Letter, the Rochester SEU strives to comply with all federal, state and/or local laws regarding pay, benefits, seniority practices, promotions, and selection techniques and tests to ensure that the unit provides equal opportunity and does not discriminate against employees or applicants. The Rochester SEU's employment practices are the ultimate responsibility of Mary Nease, the unit's Senior Vice President, Human Resources, working in conjunction with in-house counsel at our corporate headquarters and, when applicable, outside employment counsel.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.



Tom Kigin 

Executed on this 11th day of July, 2007

Attachment 1

**KLSE-FM, KZSE(FM), KMSE(FM)
EEO Public File Report
Minnesota Public Radio - Rochester, MN SEU
Sept. 5, 2006 - Nov. 30, 2006***

I. Vacancy List

No full-time vacancies were filled during this reporting period.

*This SEU reached five full-time employees on Sept. 5, 2006. As a result, this Report includes recruitment activity from that date through Nov. 22, 2006. This Report was created in July 2007.

II. MASTER RECRUITMENT SOURCE LIST

No full-time vacancies were filled during this reporting period.

III. Supplemental Recruitment Initiatives

FCC Menu Item	Type of Recruitment Initiative	Date	Brief Description of Activity	Recruiting Staff in Attendance
14	Management Level Legal Training: EEO and Discrimination	Sept 19, 2006; Sept 27, 2006; Nov 14, 2006	Legal training for Leaders presented by Karen G. Schanfield, Esq. Felhaber, Larson, Fenlon & Vogt, P.A.	Chris Cross, Rochester Station Manager; Jen Hanlon, HR Recruitment Manager; Mary Nease, Senior Vice President, HR

Attachment 2

Gramling, Mitzi

From: Parnell, Carolyn
Sent: Tuesday, July 10, 2007 10:09 AM
To: Gramling, Mitzi
Cc: Smestad, Brian
Subject: FW: Legal Training For Leaders

From: Moore, Mickey
Sent: Monday, September 18, 2006 2:41 PM
To: Human Resources; Supers; Alfuth, Mark; Buzenberg, Bill; Cragoe, JoAnn; Creighton, Don; Davis, Bill; Gossett, Jon; Johnson, Jennifer; Kigin, Tom; Kling, Bill; Lutman, Sarah; McTaggart, Jon; Nease, Mary; Roesler, Tim; Yore, JJ; Yore, JJ; Johnson, Jennifer; Nease, Mary; Lutman, Sarah
Cc: Gredesky, Allison; Hanlon, Jen; Merrell, Francine; McLoughlin, Mette; Griffith, Steven; Goodin, Vern; Lee, Mary; Lee, Don; Anderson, Al; Berg, Adrian; Watercott, Chris; Ober, Gayle; Driscoll, Melinda; O'Brien, Kristen Hoeschler; Scott, Kathryn; Kohtz, Chris; Hendrickson, Michael; Riensche, Rachel; Kapur, Rajesh; Worthington, Chris
Subject: Legal Training For Leaders

This is to remind you to accept an invitation to our legal training workshop: *What you need to know: legal training for leaders.*

Anyone with supervisory responsibility is encouraged to attend this session. We still have room tomorrow in the UBS Forum from 1-4pm. The other two dates to choose from are September 27 (8:30-11:10am) or Thursday October 5 (11am-1pm).

Cookies will be served at Tuesdays session.

If you've already accepted this or one of the other meetings, please delete this invitation.

Gramling, Mitzi

From: Parnell, Carolyn

Sent: Wednesday, July 11, 2007 12:40 PM

To: Abraham, Gerry; Alfuth, Mark; Anderson, Al; Arganbright, Valerie; Aslanian, Sasha; Banks, Charli; Becker, Brian; Bell, Stefni; Bergmann, Fritz; Bettison, Michael; Bickal, Jim; Birge, John; Bol, Tony; Booth, Kristi; Busse, Cory; Campbell, Tom; Catlin, Bill; Collins, Bob; Cox, Norma; Cragoe, JoAnn; Cross, Chris; david@prairiehome.us; Driscoll, Melinda; Edgerly, Michael; Edin, Dave; Eldred, Kathryn; Engelking, Jeffrey; Gehlen, Barb; Glancey, Michael; Golbuff, Kathy; Goodin, Vern; Gossett, Jon; Gramling, Mitzi; Hanlon, Jen; Hendrickson, Michael; Hudson, Frank; Johnson, Jennifer; Kanyadan, Jana; Kerr, Euan; Kigin, Tom; Kohtz, Chris; Ladner, Mary Pat; Lee, Don; Leonard, Andrew; Levang, Rex; Lube, Ed; Lutman, Sarah; McGraw, Sally; McLoughlin, Mette; McTaggart, Jon; Merrell, Francine; Meyer, Sara; Middleton, Kevin; Montello, Maria; Moore, Mickey; Moos, Kate; Mulcahy, Michael; Nease, Mary; Nelson, Steve; Nelson, Tom; Nycklemoe, Erik; O'Brien, Kristen Hoeschler; O'Rourke, Peggy; Ober, Gayle; Olson, Michael; Parnell, Carolyn; Pearson, John; Riley, Ted; Roderick, Doug; Roesler, Tim; Schmeling, Jennifer; Skoler, Michael; Smestad, Brian; Smith, Kate; Smith, Stephen; Swift, Sally; Thompson, Doug; Vicic, Silvester; Wareham, Bill; Watercott, Chris; Wethers, Shane; Worthington, Chris

List of individuals on "supers" email list