

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

JAN 13 1998

In Reply Refer To:
1800B3-MAT

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In Re: NEW(FM), Rochester, MN
Saint Olaf College
File No. BPED-961023ME

Request for Waiver of Main Studio Rule

Dear Counsel:

The staff has under consideration the above-captioned application filed by Saint Olaf College ("Saint Olaf") for a construction permit for a new noncommercial educational ("NCE") FM station in Rochester, Minnesota. Saint Olaf has requested a waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125, in order to operate the Rochester station as a satellite of its NCE station WCAL(FM), Northfield, Minnesota¹. For the reasons set forth below, we will waive Section 73.1125 and grant Saint Olaf's application for a construction permit.

Section 73.1125(a) requires each broadcast station to maintain a main studio within the station's principal community contour to ensure that the station will serve the needs and interests of the residents of the community of license. Amendment of Sections 73.1125 and 73.1130, 3 FCC Rcd 5024, 5027 (1988). However, under Section 73.1125(a)(4), the Commission will waive this requirement 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 a 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. Id. A

¹A "satellite" station meets all of the Commission's technical rules; however, it originates no programming and instead rebroadcasts the parent station's programming. See Amendment of Multiple Ownership Rules, Memorandum Opinion and Order, 3 RR 2d 1554, 1562 (1964).

satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 "public interest" standard. Id.

Saint Olaf's request is based on the economies of scale which would be realized by a grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R. § 73.1125(a)(4) in these circumstances. Saint Olaf proposes to operate the station as a satellite of WCAL(FM), Northfield, Minnesota, approximately 57 miles from Rochester. 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, Saint Olaf has pledged to: (1) be responsive to the needs and interests of its service area; (2) maintain frequent contact with Rochester community leaders; (3) provide toll-free telephone access to the station and (4) locate the public interest file at an accessible place in Rochester.

Under these circumstances, we are persuaded that Saint Olaf will meet its local service obligations and thus, grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Saint Olaf College for a construction permit for a new noncommercial educational FM station in Rochester, Minnesota (BPED-961023ME) and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization will be forwarded under separate cover.

Sincerely,



Linda Blair, Chief *for*
Audio Services Division
Mass Media Bureau