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T. Stansbury, III

KGAC: KNGA public files CP/licenses

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October 28, 1998

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VIA HAND DELIVERY

Magalie Roman Salas
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

RECEIVED

OCT 28 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: KNGA(FM), Saint Peter, MN
FCC File No. BPED-970203IE
KGAC(FM), Saint Peter, MN
FCC File No. BPED-970203IC
Minnesota Public Radio

Dear Ms. Salas:

On behalf of Minnesota Public Radio ("MPR"), this is to clarify one fact in connection with the Commission's letter orders, dated October 16, 1998, granting the applications referenced above for waivers of the main studio rule, 47 C.F.R. § 73.1125, to permit the operation of KNGA as a satellite of KNOW(FM), Minneapolis, Minnesota, and the operation of KGAC as a satellite of KSJN(FM), Minneapolis.

In the letter orders, attached, the Commission stated that MPR had committed, among other things, to "maintain a local news reporter in Saint Peter who will produce and broadcast local inserts of interest to Saint Peter... ." This statement is derived from MPR's request for main studio waivers as originally filed on February 3, 1997 (at ¶ 4). However, on June 15, 1998, MPR amended the applications to state that, due to changed circumstances, a reporter in fact would not be based in Saint Peter.

Thus, on April 7, 1998, MPR advised the Commission that the St. Peter studio for KNGA/KGAC had been destroyed in a tornado, and MPR was evaluating the feasibility of restoring the facilities. Subsequently, MPR filed the June 15, 1998

Ms. Roman Salas
October 28, 1998
Page 2

amendment (attached) advising the Commission that the studio would not be reconstructed. Accordingly, the reporter intended for Saint Peter would be relocated to MPR's headquarters in Saint Paul. MPR further stated that Saint Paul reporters would retain the responsibility of monitoring and covering local news and events in Saint Peter, so that the needs and interests of Saint Peter would continue to be ascertained and served.

Therefore, MPR will not be able to base a reporter in Saint Peter as stated in the Commission's October 16, 1998 letters. As represented in MPR's June 15, 1998 amendment, those duties will be fulfilled through personnel based in Saint Paul.

Please contact this office if there are any questions.

Respectfully submitted,

Todd M. Stansbury/amw

Todd M. Stansbury

cc: Allen Myers, Esq., FCC
Mitzi T Gramling, Esq.

MPR-KNGA-FCC

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

OCT 16 1998

IN REPLY REFER TO:
1800B3-ALM

Todd M. Stansbury, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D. C. 20006

Re: Modification of Facilities of KNGA(FM), Saint Peter, MN (BPED-970203IE)

Dear Mr. Stansbury:

The staff has under consideration the application of Minnesota Public Radio ("MPR") to modify the facilities of noncommercial educational ("NCE") FM station KNGA(FM), Saint Peter, Minnesota (File No. BPED-970203IE). The application requests waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125,¹ in order to operate the Saint Peter station as a satellite of its NCE station KNOW-FM, Minneapolis, Minnesota. For the reasons set forth below, we shall grant MPR's application and its request for waiver.

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

MPR's request is based on the economies of scale which would be realized by 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. MPR proposes to operate KNGA(FM), Saint Peter, as a satellite of KNOW-FM, Minneapolis, Minnesota, approximately 50 miles from Saint Peter. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, MPR has pledged to: (1) continue

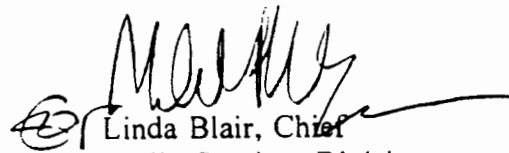
¹In relevant part, Section 73.1125 requires each broadcast station to maintain a main studio within the station's principal community contour.

its policy that residents of each service area participate on a regional advisory council which provides input to management on programming issues of interest to the residents throughout MPR's service area, including Saint Peter; (2) continue its existing relationship with the community of Saint Peter which has been established by means of membership in KNGA(FM); (3) solicit comments from MPR members in Saint Peter concerning programming and station operation; (4) maintain a local news reporter in Saint Peter who will produce and broadcast local inserts of interest to Saint Peter and who will subscribe to local and area publications and maintain ongoing relationships with community residents and leaders, who will be periodically contacted regarding local events and developments; (5) maintain a toll-free telephone number for residents of Saint Peter to contact MPR management in accordance with 47 C.F.R. § 73.1125(c); and (6) operate a site on the World Wide Web which enables local residents to receive extensive information and comment on MPR's programming.

In granting a waiver of 47 C.F.R. § 73.1125(a), the Commission has required the licensee of a satellite station to maintain the satellite station's public inspection file in the community of license and in adopting modifications to its main studio and public inspection file rules, the Commission stated that it was not altering its standards or practices with respect to noncommercial educational stations proposing satellite operations. *See Report and Order* in MM Docket No. 97-131, 13 FCC Rcd 15691, 15695, n. 18 (1998). Accordingly, we shall expect MPR to maintain the public inspection file of KNGA(FM) in Saint Peter. In these circumstances, we are persuaded that MPR will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Minnesota Public Radio to modify the facilities of KNGA(FM), St. Peter, Minnesota (File No. BPED-970203IE) and its request for waiver of 47 C.F.R. § 73.1125 to permit KNGA(FM) to operate as a satellite station of KNOW-FM, Minneapolis, Minnesota ARE HEREBY GRANTED.

Sincerely,


Linda Blair, Chief
Audio Services Division
Mass Media Bureau

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

OCT 16 1998

IN REPLY REFER TO
1800B3-ALM

Todd M. Stansbury, Esq.
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D. C. 20006

Re: Modification of Facilities of KGAC(FM), Saint Peter, MN (BPED-970203IC)

Dear Mr. Stansbury:

The staff has under consideration the application of Minnesota Public Radio ("MPR") to modify the facilities of noncommercial educational ("NCE") FM station KGAC(FM), Saint Peter, Minnesota (File No. BPED-970203IC). The application requests waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125,¹ in order to operate the Saint Peter station as a satellite of its NCE station KSJN(FM), Minneapolis, Minnesota. For the reasons set forth below, we shall grant MPR's application and its request for waiver.

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

MPR's request is based on the economies of scale which would be realized by 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. MPR proposes to operate KGAC(FM), Saint Peter, as a satellite of KSJN(FM), Minneapolis, Minnesota, approximately 50 miles from Saint Peter. Where there is a great distance between parent and satellite stations, as here, we are particularly concerned that the licensee take adequate measures to maintain its awareness of the satellite community's needs and interests. To that end, MPR has pledged to: (1) continue

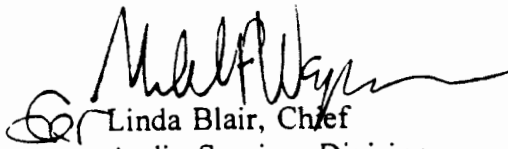
¹In relevant part, Section 73.1125 requires each broadcast station to maintain a main studio within the station's principal community contour.

its policy that residents of each service area participate on a regional advisory council which provides input to management on programming issues of interest to the residents throughout MPR's service area, including Saint Peter; (2) continue its existing relationship with the community of Saint Peter which has been established by means of membership in KGAC(FM); (3) solicit comments from MPR members in Saint Peter concerning programming and station operation; (4) maintain a local news reporter in Saint Peter who will produce and broadcast local inserts of interest to Saint Peter and who will subscribe to local and area publications and maintain ongoing relationships with community residents and leaders, who will be periodically contacted regarding local events and developments; (5) maintain a toll-free telephone number for residents of Saint Peter to contact MPR management in accordance with 47 C.F.R. § 73.1125(c); and (6) operate a site on the World Wide Web which enables local residents to receive extensive information and comment on MPR's programming.

In granting a waiver of 47 C.F.R. § 73.1125(a), the Commission has required the licensee of a satellite station to maintain the satellite station's public inspection file in the community of license and in adopting modifications to its main studio and public inspection file rules, the Commission stated that it was not altering its standards or practices with respect to noncommercial educational stations proposing satellite operations. *See Report and Order in MM Docket No. 97-131, 13 FCC Rcd 15691, 15695, n. 18 (1998).* Accordingly, we shall expect MPR to maintain the public inspection file of KGAC(FM) in Saint Peter. In these circumstances, we are persuaded that MPR will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Accordingly, the application of Minnesota Public Radio to modify the facilities of KGAC(FM), St. Peter, Minnesota (File No. BPED-970203IC) and its request for waiver of 47 C.F.R. § 73.1125 to permit KGAC(FM) to operate as a satellite station of KSJN(FM), Minneapolis, Minnesota ARE HEREBY GRANTED.

Sincerely,


Linda Blair, Chief
Audio Services Division
Mass Media Bureau



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 D Knoll, JFF

June 4, 1998

VIA HAND DELIVERY

Magalie Roman Salas, Secretary
 Federal Communications Commission
 Room 222
 1919 M Street, N.W.
 Washington, D.C. 20554

RECEIVED

JUN 15 1998

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY

**Re: KNGA(FM) and KGAC(FM), St. Peter, Minnesota
 Amendment to Applications for Minor Modification of License
 Main Studio Waiver Request
 FCC File Nos. BPED-970203IE and BPED-970203IC**

Dear Ms. Salas:

On February 3, 1997, Minnesota Public Radio ("MPR"), licensee of KNGA(FM) and KGAC(FM), St. Peter, Minnesota, filed applications for minor modification of the stations' licenses requesting waiver of the main studio rule 47 C.F.R. § 73.1125(a)(4), which remain pending (FCC File Nos. BPED-970203IE and BPED-970203IC). As MPR informed the Commission in a letter dated April 7, 1998, the stations' studios were destroyed in a tornado on March 29, 1998. Based on the high costs involved in rebuilding and the operational costs associated with maintaining the studios, MPR has decided it is not feasible to rebuild the studios. Accordingly, MPR hereby amends the pending main studio waiver request as follows. Because MPR is a noncommercial educational licensee, no filing fee is required.

As stated in the pending waiver request, KNGA will be a satellite of KNOW(FM), Saint Paul, Minnesota and carry that station's news and information programming and KGAC will be a satellite of KSJN-FM, Minneapolis, Minnesota, and carry that station's arts/performance programming. The pending waiver requests additionally stated that MPR would maintain a local news reporter in St. Peter to produce and broadcast local inserts (see Main Studio Waiver Request ¶ #4). In light of the changed circumstances, however, MPR will relocate the reporter as of July 1, 1998 to Saint Paul. Local news and events will continue to be covered by MPR reporters in St. Paul, Worthington and Rochester, Minnesota. The KNOW newsroom, moreover, will receive local newspapers from the St. Peter area.

Magalie Roman Salas, Secret.

June 4, 1998

Page 2

MPR intends to disband the KNGA/KGAC Regional Advisory Council (see Main Studio Waiver Request ¶ #2). However, MPR has an Institutional Sponsor Council, which meets with the MPR Board of Trustees and management on a regular basis to, among other things, assist MPR with its coverage of news and events in their region. Gustavus Adolphus College in St. Peter has had and will continue to have a representative on the Institutional Sponsor Council, and Bethany Lutheran College in nearby Mankato also will continue to have a representative on the Council.

Thus, based on the foregoing, MPR submits that it will be able to ascertain and satisfy the interests and needs of residents of St. Peter, and therefore respectfully requests that the Commission grant its pending requests for waiver of the main studio rule for KNGA and KGAC as amended herein.

Should there be any questions concerning this matter, please contact this office.

Respectfully submitted,



Mitzi T. Gramling
Associate General Counsel

Enclosure

cc: E. Joseph Knoll, Esq.

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April 7, 1998

VIA HAND DELIVERY

Magalie Roman Salas, Secretary
Federal Communications Commission
Room 222
1919 M Street NW
Washington, D.C. 20554

Re: KNGA(FM) and KGAC(FM), St. Peter, MN
Minnesota Public Radio

Dear Ms Salas:

Minnesota Public Radio ("MPR"), the licensee of KNGA(FM) and KGAC(FM), St. Peter, Minnesota, by its attorneys, hereby notifies the Commission that on March 29, 1998, the stations' studios were destroyed in a tornado. MPR is temporarily operating these stations from the studios of KMSU(FM), Mankato, Minnesota, at the following address:

1536 Warren Avenue
Mankato, Minnesota 56002
(507) 389-5678

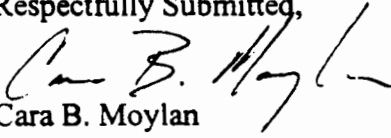
Requests for waiver of the main studio rule for KNGA(FM) and KGAC(FM) (FCC File Nos. BPED-970203IE and BPED-970203IC, respectively) are currently pending.

Following the destruction of the studios for KNGA(FM) and KGAC(FM), MPR has restored service to the main transmitter through temporary means, and as a result, the stations are currently unable to operate with EAS equipment. However, because MPR has agreed to act as state-wide relay for national and state emergencies, KNGA(FM) and KGAC(FM) are able to pick up EAS information over-the-air.

Ms. Salas
April 7, 1998
Page 2

MPR is assessing the extent of the damage and is considering whether to restore a permanent presence in St. Peter. Should there be any questions concerning this matter, please contact this office.

Respectfully Submitted,


Cara B. Moylan

cc: Mitzi Gramling, Esq.