

MITZI T GRAMLING  
ASSOCIATE GENERAL COUNSEL  
MGRAMLING@MPR.ORG



Stamp and Return

BY HAND

November 1, 2007

Marlene Dortch  
Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, NE  
Suite 110  
Washington, DC 20002

FILED/ACCEPTED

NOV - 6 2007

Federal Communications Commission  
Office of the Secretary

Re: Minnesota Public Radio (FRN 0002-6425-10)  
KRXW (FM), Roseau, MN (Facility ID 166032)  
Request for Main Studio Rule Waiver

Minnesota Public Radio ("MPR") proposes to operate this facility as a noncommercial educational station to serve Roseau and the surrounding area. MPR proposes that the station be operated as a satellite station of KNOW (FM). MPR is the licensee of KNOW, which has its main studios at 480 Cedar Street, Saint Paul, Minnesota 55101. MPR holds a construction permit for KRXW, which is not yet on the air.

MPR is a nonprofit corporation formed for the purpose of providing noncommercial educational radio service to listeners in Minnesota and surrounding states. MPR's current 37 FM and 26 FM translator operating facilities provide 24-hour-a-day quality programming accessible to 98% of Minnesota's citizens, as well as to substantial numbers of listeners in North and South Dakota, Iowa, Wisconsin, Michigan, Idaho and southern Ontario, Canada. MPR provides programming to its network of stations from its primary Minneapolis/Saint Paul stations—KSJN, Minneapolis, KNOW, Minneapolis/Saint Paul and KCMP, Northfield—and from many of its network stations throughout the region. KNOW is an all-news/information station, KSJN is a classical music station and KCMP is a contemporary music/news station. This particular station will be operated by MPR as a "news" station in that it will primarily broadcast KNOW.

MPR currently operates two translator stations in Roseau: W215AI (rebroadcasting KSJN) and K264AR (rebroadcasting KNOW).

There are currently 29 active members in Roseau who make financial contributions to MPR.

MPR therefore requests a waiver of Section 73.1125 of the Commission's Rules to permit MPR to operate this station as a satellite station of KNOW without a main studio in the community of license. As demonstrated below, grant of the instant waiver request would be in the public interest.

The Commission has issued decisions stating that the "main studio must, at a minimum, maintain full-time managerial and full-time staff personnel." Jones Eastern of the Outer Banks, Inc., FCC 91-175, released June 19, 1991, at ¶ 9; see also Salem Broadcasting, Inc., DA 91-804, released July 2, 1991.

Grant of this requested waiver is necessary to permit MPR to operate this station as a satellite station because the local community cannot otherwise support it as a wholly independent noncommercial educational station. The population of Roseau is only about 2800 (2000 Census). Because of this area's limited economic base, it is highly unlikely that a station with separate staff and studio could provide the same high-quality public radio service that MPR proposes. Therefore, waiver of Section 73.1125 is necessary in this case to ensure that the residents of the area receive the diverse and important programming MPR will provide.

The Commission has recognized the advantages accruing to noncommercial broadcasters from consolidated operations:

In the past, we have recognized the benefits of centralized operations for noncommercial educational stations, given the limited funding available to these stations, and we have granted waivers to state and regional public television and radio networks to operate "satellite" stations that do not necessarily meet the requirements of a main studio.

Main Studio Program Origination Rules, 3 FCC Rcd. 5024, 5027 (1988) (citing Nebraska Educational Television Commission, 4 R.R.2d 771 (1965)). Indeed, the Commission has previously determined that waiver of the main studio rule for other stations in the MPR network serves the public interest. See Letter from Linda Blair, Chief, Audio Services Division to Todd M. Stansbury, June 16, 2000 (attached hereto).

Upon grant of this request, MPR will satisfy the public needs and interests of residents of Roseau by the following means:

- MPR maintains a toll-free telephone line and an email address by which the residents of the Roseau area can reach MPR management to express concerns about the station operations. The toll-free telephone number goes directly to MPR's Member Benefits Department, as do e-mails the public sends to MPR. MPR currently has two live phone lines and three full-time employees who answer the phones and e-mails. In the past year, Member Benefits has handled about 30,000 incoming calls and 35,000 e-mail messages on every subject you can think of related to MPR, including many comments and questions about programming on all three of its services. While the number of phone lines and employees may change with time, MPR's commitment to maintain easy access is strong.
- MPR currently has one person in Saint Paul who is responsible for the final decisions on all programming on MPR stations. MPR has a news director, a classical music director and a

director for contemporary music/news who all report to this person. Listener comments from Member Benefits also go to this person, who then distributes comments concerning the various services to their respective directors. Summaries of comments about all three services are widely distributed throughout the company and to the Board of Trustees. The current organizational structure may change with time, but the commitment to maintain control of programming and circulate listener opinions will not change.

- MPR has established a site on the World Wide Web ([www.mpr.org](http://www.mpr.org)) that enables local residents to receive extensive information regarding MPR's programming and provides a link for local residents to e-mail concerns about the station operations to MPR management. The site contains descriptions of special reports, schedules for all MPR programming, and online audio sources (live, and in some cases archived) for MPR programming. MPR has established homepages on the MPR Web site for its network stations. Also, the public inspection file for each MPR station, including KRXW, is available on the MPR Web site. Once KRXW is constructed, MPR will add more extensive information about KRXW, in addition to the currently existing public file, to the Web site.
- MPR operates the largest news organization of any radio service in the Midwest. With this extensive news resource, MPR is able to produce news, arts and cultural programming from throughout MPR's service area and distribute it to all stations in the network. MPR's staff located in nearby Moorhead, MN already subscribe to the local and area publications and maintain ongoing relationships with community residents and leaders, who are periodically contacted regarding local events and developments, including local arts and cultural events. MPR's staff uses information provided by these contacts to keep the communities it serves informed about local and regional arts and cultural events, and to keep classical music hosts informed about these events for broadcast by MPR, either regionally or throughout the MPR multistate network. In addition, MPR broadcasts news reports on its classical music service and on its contemporary music service.
- MPR has a reporter who subscribes to local and area publications and will maintain ongoing relationships with community residents and leaders, who would be contacted on a regular basis. The reporter will use information provided by these publications and contacts to investigate events and to file news stories of interest in Roseau for broadcast by MPR, either regionally or throughout the MPR multi-station network.
- MPR promotes interaction between its management and local community leaders through several advisory boards, including an Institutional Sponsor Council ("ISC"). The ISC is a unique partnership between MPR's stations and colleges and universities throughout their listening areas. This venue enhances MPR's community representation and provides another forum for persons affiliated with the ISC members to discuss public affairs, programming, development, marketing and technology with MPR.
- Another way that MPR promotes interaction between its management and local community leaders is through six advisory boards and, as required by the Corporation for Public

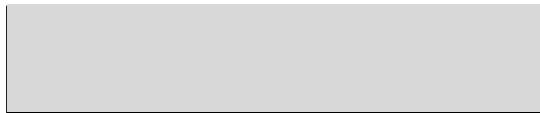
Broadcasting ("CPB"). Called Regional Development Advisory Councils ("RDACs"), these groups are managed by MPR station managers currently located in Rochester (southeastern Minnesota), Duluth (northeastern Minnesota), Bemidji (north central Minnesota) and the Twin Cities of Minneapolis and Saint Paul. The RDACs provide input to management on programming, which MPR thoughtfully considers when making program decisions for its stations, including Roseau. It is MPR policy that residents of each of its service areas, including the Roseau area, participate on an RDAC. RDACs currently meet twice a year and summaries of those meetings are supplied to MPR's Board of Trustees. In the past year, most of MPR's vice presidents and management have attended an RDAC meeting. Members of the RDACs serve for a term of office. MPR's RDACs are in full compliance with CPB requirements for this type of advisory council.

The Commission has relied substantially on similar representations by MPR in finding that waivers of the main studio rule for other stations serve the public interest. Thus, the Commission has held that where MPR has pledged to (1) continue its policy for local residents to serve on an RDAC; (2) continue the relationship with the local community through membership; (3) solicit comments from residents regarding station operation and programming; (4) assign a reporter (who would be based in another community within the same region) who will produce and broadcast local inserts of interest to Roseau residents, and will subscribe to local publications and maintain periodic contact with local residents and leaders, who will periodically contact and update the reporter concerning matters of local interest; (5) maintain a local toll-free telephone number for residents of Roseau to contact MPR management in accordance with 47 C.F.R. § 73.1125(c); and (6) operate a site on the World Wide Web that enables local residents to receive extensive information and comment on MPR's programming, a waiver is warranted. See attached Letter dated June 16, 2000 from Linda Blair, Chief, Audio Services Division, Mass Media Bureau, to Todd M Stansbury, waiving the main studio rule for a new FM station at Grand Marais, MN, FCC file no. BPED-19981208MI. MPR is making the same pledges with respect to the Roseau station.

For the foregoing reasons, MPR submits that it will be able to ascertain and satisfy the interests and needs of residents of the Roseau area and, therefore, respectfully requests that the Commission grant this waiver of the main studio rule for this station.

If there are any questions about this request, please contact me at [mgramling@mpr.org](mailto:mgramling@mpr.org) or 651.290.1259.

Sincerely,



Mitzi T Gramling  
Associate General Counsel

WYLS

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D. C. 20554

JUN 16 2000

IN REPLY REFER TO:  
1800B3-ALM

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

In Re: NEW (Ed. FM), Grand Marais, MN  
Minnesota Public Radio  
Facility ID No. 92306  
File No. BPED-19981208MI

Dear Mr. Stansbury:

The staff has under consideration the application of Minnesota Public Radio ("MPR") for a new noncommercial educational FM station in Grand Marais, Minnesota. The application requests a waiver of the Commission's main studio requirement, *see* 47 C.F.R. § 73.1125, in order to operate the proposed Grand Marais station as a satellite of its commonly owned NCE station KSJN(FM), Minneapolis, Minnesota.<sup>1</sup> 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 that would be realized by grant of its waiver. We agree and conclude that there is "good cause" to waive 47 C.F.R.

<sup>1</sup> A "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 RR2d 1554, 1562 (1964).

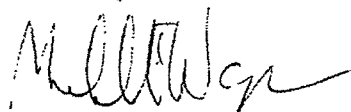
§ 73.1125(a)(4) in these circumstances.

MPR proposes to operate the proposed Grand Marais, Minnesota station, as a satellite of KSJN(FM), Minneapolis, Minnesota, approximately 220 miles from Grand Marais. 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 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 Grand Marais; (2) continue its existing relationship with the community of Grand Marais which has been established by means of membership in MPR; (3) solicit comments from MPR members in Grand Marais concerning programming and station operation; (4) assign to Grand Marais a local news reporter currently based in Duluth, Minnesota who will produce and broadcast local inserts of interest to Grand Marais and who will subscribe to local and area publications and maintain ongoing relationships with community residents and leaders, who will periodically contact and update the reporter concerning matters of local interest; (5) maintain a toll-free telephone number for residents of Grand Marais 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 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. We remind MPR, however, of the requirement that it maintain a public file for the Grand Marais station at the main studio of the "parent" station KSJN(FM). *See Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 64 Fed. Reg. 35941 (July 2, 1999). We further remind MPR that notwithstanding the grant of the waiver requested here, the public file for the Grand Marais station must contain the quarterly issues and programs list required by 47 C.F.R. § 73.3527(e)(8).

Accordingly, the application of Minnesota Public Radio for a new noncommercial, educational FM station at Grand Marais, Minnesota (BPED-19981208MI), being in all respects acceptable, and its request for waiver of 47 C.F.R. § 73.1125 ARE HEREBY GRANTED.

Sincerely,

  
Linda Blair, Chief  
Audio Services Division  
Mass Media Bureau