



Federal Communications Commission
Washington, D.C. 20554

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

OCT 22 1997

Re: EAS Exemption For Minnesota Public Radio, KLCD(FM) and
KLNI(FM), Decorah, IA; KXLC(FM), LaCrescent; KNSW(FM),
Worthington; KRSW(FM), Worthington; KBPR(FM), Brainard;
KNVN(FM), Thief River Falls; KOMN(FM), Thief River Falls;
WIRR(FM), Virginia/Hibbing; KRSU(FM), Appleton; KNOM(FM),
Appleton; WIRN(FM), Buhl, Minnesota; and KWRV(FM), Sun
Valley, Idaho.

SUBJECT: Request for Information to Process Your Petition to
Waive Emergency Alert System (EAS) Equipment Require-
ments for the Above Stations

DEADLINE: 40 Days From Date of This Letter.

Dear Mr. Stansbury:

You requested a permanent exemption from the Federal
Communications Commission's (FCC) rules requiring the above
station(s) to install EAS equipment. To process your request, we
need information from you which is indicated below.

By way of background, on November 10, 1994, the FCC adopted a
Report and Order replacing the Emergency Broadcast System (EBS)
with EAS effective July 1, 1996. FO Dockets 91-301 and 91-171,
10 FCC Rcd 1786 (1994). The FCC subsequently extended the
deadline for broadcast stations to begin operating EAS equipment
until January 1, 1997. Memorandum Opinion and Order, 10 FCC Rcd
11494 (1995). These FCC Orders also promulgated new rules
relating to EAS. 47 C.F.R. Section 11.1 et seq.

You requested a waiver of the requirement in the FCC's rules to
install and operate EAS equipment at the satellite station(s)
listed above. 47 C.F.R. Sections 11.11, 11.51 and 11.52. You
explained that a broadcast station licensed to you (or to the
organization that you are representing) serves as a master
control center, or hub or parent station, and originates and
controls programs including EAS messages, which are broadcast by
one or more other broadcast stations, so-called satellite
stations, which are also licensed to you (or to the organization
that you are representing). You requested that only the station
serving as a master control center or parent be required to
install EAS equipment and that the above satellite station(s) be
exempted from this requirement.

Satellite stations that requested a waiver of the FCC's EAS equipment requirements were granted a one year extension of the compliance deadline, until January 1, 1998, before the EAS equipment requirements apply to them. During this period, the FCC will review these requests for exemptions, and will, on a case by case basis, either exempt satellite stations indefinitely or require them to have EAS equipment. Satellite stations that requested a waiver in 1996 or early 1997 were sent a letter by the FCC explaining this and the general waiver criteria. Requests that were received recently were not sent a letter, but the same applies to them, including the extension of the compliance deadline.

If you wish to have your waiver request for the above station(s) processed by the FCC, please provide the following information within 40 days of the date of this letter. Please provide this information for each station in your request. If you do not respond or provide incomplete information, it will be assumed that you are no longer seeking an indefinite waiver of the EAS rules, and the station(s) will be required to comply with the EAS equipment and operational requirements by January 1, 1998.

EAS waiver request information:

- 1a. What is the call sign of the satellite station requesting the waiver?
- 1b. What is the mailing address of the satellite station?
- 1c. What is the satellite station's city of license?
- 1d. What is the name of the EAS Local Area where the satellite station's city of license is located (most states have state EAS plans that divide the state into EAS Local Areas)?
- 2a. What is the call sign of the parent station (or master control center or hub) that originates and controls programs for the satellite station identified above?
- 2b. What is the mailing address of the parent station?
- 2c. What is the parent station's city of license?
- 2d. What is the name of the EAS Local Area where the parent station's city of license is located?
- 3a. If the satellite station and the parent station identified above are in different EAS Local Areas, does the parent station have the capability to monitor the monitoring assignments of the satellite station in addition to its own monitoring assignments? Some EAS

equipment has the capability of monitoring sources in addition to what is required by the FCC's rules for a single station. In other words, some individual EAS devices have the capability to conduct monitoring for several stations. Does the parent station have this capability?

- 3b. If the answer to question 3a is "yes," is the parent station able to receive the signals that the satellite station has been assigned to monitor?
- 3c. If the answers to questions 3a and 3b are "yes" (if the parent station has the capability to monitor for the satellite station in addition to its monitoring assignments, and is able to receive the signals that the satellite station is required to monitor), WILL the parent station monitor these signals for the satellite station that is the subject of this waiver request?
- 3d. If the answer to 3c is "yes," what is the make (manufacturer) and model number or name of the EAS device at the parent station? How many stations will this EAS device at the parent station be responsible for conducting EAS monitoring and what are their call signs?
- 4a. Does the satellite station have a main studio waiver (not required to maintain a main studio at the satellite station) issued by the FCC's Mass Media Bureau?
- 4b. Does the satellite station operate without a main studio at the satellite station's location?
5. Does the satellite station have the capability to broadcast or to interject programming at the satellite station's transmitter.
6. Does the satellite station originate any programming? If "yes," approximately what percentage of the satellite station's total programming is originated at the satellite station?

Please mail your response to the following address:

Emergency Alert System Staff
Attention: Satellite Waiver
Stop Code 1500B1
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

The statements made in your waiver request are subject to review and verification by the FCC, including FCC personnel during inspections of the involved satellite and parent stations. Please note that Federal law and FCC rules prohibit providing false information to the Federal Government and the FCC. 18 U.S.C. Section 1001, 47 C.F.R. Section 1.17. Furthermore, failure to comply with waiver provisions and the FCC rules may subject a station to monetary forfeiture penalties. 47 U.S.C. Section 503.

If a waiver is granted to the satellite station regarding the installation and operation of EAS equipment, and there is a change in any of the factors influencing the grant of the waiver, the waiver will terminate although the satellite station may reapply for another waiver. In other words, waivers will be conditioned on the continuation of the situation described in the waiver application.

If you have further questions, please phone the EAS staff at (202) 418-1220.

Sincerely,



H. James Keats, Jr.
Attorney, EAS Staff



Federal Communications Commission
Washington, D.C. 20554

October 1997

TO: Satellite Broadcast Stations That Have Submitted
Requests for Waivers of Emergency Alert System (EAS)
Equipment Requirements

SUBJECT: Further Extension of Deadline for EAS Compliance

The FCC has received requests from hundreds of satellite broadcast stations for indefinite waivers of EAS equipment requirements. Stations submitting these requests were granted an extension of time until January 1, 1998, to comply with the EAS requirements in 47 CFR Part 11.

The FCC's EAS staff will soon reply to these requests. However, all satellite stations seeking an indefinite waiver may not receive a response by the January 1, 1998, compliance deadline.

Therefore, the January 1, 1998, EAS compliance deadline is suspended for satellite stations that have pending valid waiver requests concerning the requirement to purchase EAS equipment for operation at their individual station locations. When the FCC responds to these requests, if a request is denied, a new compliance deadline will be specified. This deadline will be at least three months after the date of the denial. For example, if the FCC denied a request with a letter dated November 25, 1997, this letter would state a compliance deadline, and this deadline would, in this case, be no earlier than February 25, 1998.

A handwritten signature in dark ink, appearing to read "Frank Lucia".

Frank Lucia
Director
Emergency Communications