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October 27, 1998

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

RECEIVED  
OCT 27 1998  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Re: ~~KRSW~~(FM), Worthington, MN  
KNSW(FM), Worthington, MN  
Minnesota Public Radio  
Request for Waiver of the Main Studio Rule

Dear Ms. Salas:

On behalf of Minnesota Public Radio ("MPR"), enclosed for filing, in triplicate, is a request for waiver of the main studio rule, 47 C.F.R. § 73.1125, to operate KRSW(FM), Worthington, Minnesota, as a satellite of KSJN(FM), Minneapolis, Minnesota, and to operate KNSW(FM), Worthington, as a satellite of KNOW(FM), Minneapolis. MPR is a noncommercial educational entity, therefore, no fee is required for this filing.

Please contact this office if there are any questions.

Respectfully submitted,

  
Todd M. Stansbury

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

October 7, 1998

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

Re: KRSW (FM) and KNSW (FM), Worthington, MN

Dear Ms Salas:

Minnesota Public Radio ("MPR"), licensee of both KRSW (FM) and KNSW (FM) in Worthington, MN, hereby requests a waiver of the main studio rule to operate KRSW (FM) as a satellite of KSJN (FM), Minneapolis/ Saint Paul, MN and to operate KNSW (FM) as a satellite of KNOW (FM), Minneapolis/Saint Paul, MN pursuant to Section 73.1125(a)(4) of the Commission's Rules, as amended by the *Report and Order* in MM Docket No. 96-58. As demonstrated below, grant of the instant waiver request would be in the public interest. Because MPR is a noncommercial educational licensee, no fee is required for this submission.

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 29 FM and one AM operating facilities provide 24 hours-per-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. In addition, MPR currently has an application pending at the Commission to construct an additional FM station in Austin, MN.

MPR provides programming to its network of stations from its primary Minneapolis/Saint Paul stations - KSJN(FM), Minneapolis, Minnesota, and KNOW(FM), Saint Paul, Minnesota, and from many of its network stations throughout the region, including KRSW (FM) and KNSW (FM). KNOW (FM) and KNSW (FM) are all news/information stations. KSJN (FM) and KRSW (FM) are classical music stations.

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.

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Grant of this requested waiver is necessary to permit MPR to operate KRSW (FM) and KNSW (FM) as "satellites" because the Worthington area, with a population of about 10,000, cannot otherwise support these wholly non-commercial educational FM stations. MPR maintains a small studio and one full-time reporter in Worthington. Because of this area's limited economic base, it is highly unlikely that the area could support two stations with a full complement of staffing which could provide the same high quality public radio service that MPR provides. Therefore, waiver of Section 73.1125 is necessary in this case to ensure that the residents of Worthington area receive the diverse and important programming MPR provides.

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. For example, see the attached letter from Larry D Eads, Chief, Audio Services Division, to Richard J Bodorff, dated January 2, 1992

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

First: As stated above, MPR maintains a studio and one full-time reporter in Worthington. This reporter produces local inserts of particular interest to the residents of Worthington and surrounding areas. The reporter subscribes to the local and area publications and maintains ongoing relationships with community residents and leaders. The reporter uses information provided by these publications and contacts to investigate events and to file news stories for broadcast by MPR either regionally or throughout the MPR multi-state network. MPR's news reporter also serves as a liaison between the area residents and MPR's programming management in Minneapolis/Saint Paul.

Second: MPR maintains a toll-free telephone line by which the residents of the Worthington area can reach MPR management to express concerns about the station operations. This toll-free line goes to MPR's seven-person Member Listener Services (MLS) Department. MPR currently has 6 live phone lines for the 800 number. MLS

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currently handles about 60,000 incoming calls a year on every subject you can think of related to MPR, including comments and questions about programming on both the music and news services of MPR.

Third: MPR has established a site on the World Wide Web (<http://www.mpr.org>), which enables local residents to receive extensive information regarding MPR's programming and provides a link for local residents to email concerns about the station operations to MPR management (MPR currently receives about 9,000 email messages a year from members and listeners.)

The website contains descriptions of special reports, schedules for news and classical music programming, and on-line audio sources for MPR programming, including its radio series "A Prairie Home Companion®." In addition, MPR has established home pages on the MPR Web Site for its network stations, including KRSW (FM) and KNSW (FM). Printouts of the KRSW (FM) and KNSW (FM) website pages are attached.

Fourth: MPR has an existing relationship with the Worthington area through its approximately 920 active members in the Worthington area, all of whom identify themselves as listeners of MPR and make financial contributions to MPR (out of a total MPR membership of about 85,000). MPR actively solicits comments from its members concerning programming and station operations and ensures that member requests and recommendations are thoughtfully considered in making programming decisions.

Fifth: MPR operates the largest news organization of any radio service in the Midwest. With this extensive news resource, MPR is able to produce news programming from throughout MPR's service area and distribute it to all stations in the network. Additionally, MPR operates a traveling *Mainstreet Radio®* crew of 4 to 5 persons, which gathers and produces programming material from rural and small city locations such as the Worthington area throughout MPR's service area for broadcast through the network. Thus, each service area, including Worthington, plays an integral role in program production.

Finally, MPR has received a grant from the Corporation for Public Broadcasting that has been used to test a pilot program called "Local Link™". The purpose of Local Link is to enhance local news coverage in rural and small communities. This program, which is unique in public broadcasting, is currently in the implementation and testing stages and has recently been installed at several of MPR's stations, including Worthington. Local Link is enabling MPR to improve news programming in its small city markets such as Worthington. For example, one of the goals of Local Link is to allow reporters located at stations in the areas of the state outside of Minneapolis and Saint Paul to spend less time on-air reading the news and more time

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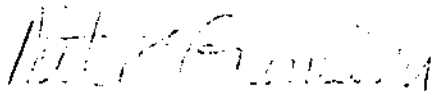
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getting out in the region they cover working with their contacts and covering local and regional news.

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

Respectfully Submitted,



Mitzi T Gramling  
Associate General Counsel

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

2 JAN 1992

IN REPLY REFER TO:  
8920-MFWRichard J. Bodorff, Esq.  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006In re: Minnesota Public Radio  
Requests for Waiver of 47 C.F.R.  
§ 73.1125

Dear Mr. Bodorff:

This letter responds to two separate requests, filed on behalf of your client, Minnesota Public Radio ("MPR") for waiver of the Commission's "main studio" rule. Waiver would permit several MPR affiliates to operate as "satellites" of Stations KNOW-FM, St. Paul, Minnesota, and/or KSJN(FM), Minneapolis, Minnesota. Both requests were filed on August 30, 1991.

One of the subject proposals concerns six stations in Minnesota, Iowa, and Idaho.<sup>1</sup> MPR seeks to operate each of these stations as a satellite of KNOW-FM or KSJN(FM). In support of the waiver request, you indicate that: (i) MPR provides programming through its 19 operating FM facilities from its primary Minneapolis/St. Paul stations, KNOW-FM and KSJN(FM), the former utilizing an all-news format and the latter an arts/performance format; (ii) the licensed stations currently and the unbuilt stations in the future will receive 100% of their programming through feeds from either KNOW-FM or KSJN(FM), or both;<sup>2</sup> (iii) while MPR operates "the largest news organization or any radio service in the Midwest" and maintains a travelling radio crew which gathers and produces programming from rural areas throughout MPR's service area, MPR is financially unable to meet the Commission's studio staffing requirements<sup>3</sup>. However, you indicate that MPR has installed a toll-free telephone line from each affected service area to the operating MPR studios. You also note that MPR stations maintain a regional advisory council to provide input to MPR management on programming of interest to residents throughout MPR's service area, and that a resident of each service area here will participate in such a council. Additionally, you note that MPR has an existing relationship with each community of license involved here through membership in MPR, which actively solicits comments from its members concerning programming and station operation. Finally, you state that MPR employs a full-time "issue advisor" to serve as liaison between service area residents and MPR programming management.

<sup>1</sup> The stations are: (i) KRSU-FM, Appleton, Minnesota; (ii) KQMN(FM), Thief River Falls, Minnesota; (iii) WIRR(FM), Virginia-Hibbing, Minnesota; (iv) KLCD(FM), Decorah, Iowa; (v) KWVL(FM), Thief River Falls, Minnesota; and KFTN(FM), Sun Valley, Idaho. These last two are as yet unbuilt construction permits.

<sup>2</sup> KRSU, WIRR, and KLCD now receive approximately 80% of their programming through KSJN and 20% from KNOW.

<sup>3</sup> See Jones Eastern of the Outer Banks, Inc., 6 FCC Rod 3615 (1991).

The second request seeks Commission consent to operate MPR's as yet unbuilt station in Decorah, Iowa (File No. BPED-900129MI) as a satellite of KNOW-FM, positing identical reasons in support of the waiver.

Section 73.1125 of the Commission's Rules, as revised by the Report and Order in MM Docket No. 86-406, 2 FCC Rod 3215 (1987), reconsideration and clarification granted in part, 3 FCC Rod 5024 (1988), requires a broadcast station to maintain its main studio in its city of license except "when good cause exists for locating the main studio outside the principal community to be served and [when doing] so would be consistent with operation of the station in the public interest." The purpose of the rule, as explained in FM Studio Moves, 27 FCC 2d 851, 852 (1971), is "to make broadcast stations readily accessible to the people in the communities which they are primarily licensed to serve." See also Multiple Ownership Rules, 3 RR 2d 1554, 1562 (1964). While satellite stations such as those proposed here are not contemplated by the FM Rules, such situations can be analogized to situations involving television satellites where main studio rules have been waived.

Despite waiver of the main studio rules in these instances, the primary obligation of any broadcast licensee, including those of satellite stations is to serve the problems, needs and interest of the community to which it is licensed. The Commission has never "indicated, directly or indirectly, that licenses were granted to state educational networks for the purpose of providing statewide service and not local service." Georgia State Board of Education, 70 FCC 2d 948, 956 (1978). As such, local needs can and should be met by this applicant. It is true that, in the past, the Commission has recognized the economic benefits of centralized operations for noncommercial educational stations, like the situation presented here. See Memorandum Opinion and Order, 3 FCC Rod at 5027. Because of the limited funding available to these stations, we granted waivers to state and regional public television and radio networks to operate "satellite" stations that do not necessarily meet the main studio requirements. See Nebraska Educational Television Commission, 4 RR 2d 771 (1965). As has been stated, however these stations, have not been permitted to ignore local service obligations. See Georgia State Board of Education, 70 FCC 2d at 956. Waivers generally have been granted only upon a showing that the local community would be served...[and] such stations will be subject to the local/toll free telephone number requirement." Memorandum Opinion and Order, 3 FCC Rod at 5027. See also 47 C.F.R. Section 73.1125(c).

We believe that you have demonstrated that waiver of the main studio rule in the circumstances presented here would serve the public interest, convenience, and necessity. MPR has clearly demonstrated that it will remain in touch with the needs and interests of the residents of each affected community here, and the toll-free telephone line will facilitate communication with MPR's central programmers. Accordingly, the requested waivers ARE GRANTED for each station listed above. These actions are taken pursuant to 47 C.F.R. § 0.283.

Sincerely,

  
Larry D. Fadd, Chief  
Audio Services Division  
Mass Media Bureau