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

RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Minnesota Public Radio**
WGGL(FM), Houghton, Michigan
Main Studio Rule Waiver Request

Dear Ms. Salas:

Minnesota Public Radio ("MPR"), licensee of WGGL(FM), Houghton, Michigan, by its attorneys, hereby requests a waiver of the main studio rule to operate WGGL (FM) as a satellite of KSJN(FM), Minneapolis, Minnesota 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. Because MPR is 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 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. 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. KSJN(FM) distributes an arts/performance format; KNOW(FM) is an all news/information station. WGGL(FM) has operated as a "mixed service" station in that it broadcasts portions of both KSJN(FM) and KNOW(FM). As detailed below, the station will also maintain a local news reporter who will produce and broadcast local news inserts for this station and will broadcast news inserts from Michigan Public Radio.

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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. Due to the cost of maintaining at least two full-time employees, and unavoidable budget cuts, however, MPR is unable to satisfy this requirement at WGGL (FM). The station must function with a low operating budget. As a result, MPR cannot economically support a main studio in Houghton, a small community with a population of approximately 7,100, under the personnel standards articulated by the Commission.

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, dated May 31, 1996 (attached hereto); see also Letter from Dennis Williams, Assistant Chief, Audio Services Division to Todd M. Stansbury, dated November 6, 1995, File No. BPED-9508101A.

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

First, MPR maintains a toll-free telephone line by which the residents of Houghton can reach MPR management to express concerns about the station operations. MPR also 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. The site contains descriptions of special reports, schedules for news and

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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 WGGL (FM) (see attached printout).

Second, MPR maintains a Regional Advisory Council and an Institutional Sponsor Council, both of which actively advise management on programming issues of interest to the residents throughout MPR's service area, including Houghton. A representative of Michigan Technological Institute, a major educational institution in the Houghton area, serves on the Institutional Sponsor Committee.

Third, MPR has an existing relationship with the Houghton area through its 930 active members, who identify themselves as listeners of WGGL (out of a total MPR membership of 86,000). MPR actively solicits comments from its members concerning programming and station operation and ensures that member requests and recommendations are thoughtfully considered in making programming decisions.

Fourth, WGGL will maintain a local news reporter who will produce and broadcast local inserts, consisting of weather, special events, and other information of particular interest to the residents of Houghton and surrounding areas. MPR anticipates that these broadcasts will originally consist of news breaks occurring four times an hour between 6:00 a.m. and 9:00 a.m., five days per week. The reporter subscribes to the local and area publications and maintains ongoing relationships with community residents and leaders who are periodically contacted regarding local events and developments. The reporter uses information provided by these 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.

Fifth, WGGL will, approximately four times a year, produce and broadcast a local call-in news program featuring issues of concern to the local community.

Sixth, WGGL will broadcast fairly daily news cuts from Michigan Public Radio.

Seventh, 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

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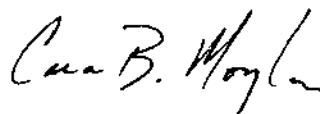
from throughout MPR's service area and distribute it to all stations in the network. Additionally, MPR operates a traveling "Mainstreet Radio" crew of 3 to 4 persons, which gathers and produces programming material from rural locations throughout MPR's service area for broadcast through the network. Thus, each service area, including Houghton, 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 small communities. This program, which is unique in public broadcasting, is currently in the implementation and testing stages and recently was installed at WGGL (FM). Local Link is being used to enable MPR to improve news programming in its small city markets, including Houghton.

Based on the foregoing, MPR submits that: (1) good cause exists to waive the main studio requirements in these circumstances; 2) MPR will be able to ascertain and satisfy the interests and need of residents of Houghton; and (3) a waiver of the main studio requirements is in the public interest. Accordingly, MPR respectfully requests that the Commission grant this waiver of the main studio rule for WGGL.

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

Sincerely,



Cara B. Moylan

Attachments

cc: Mike Wagner (FCC Audio Serv. Div./by hand)
Mitzi Gramling

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D. C. 20554

1996

IN REPLY REFER TO
180083-ALM

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

Re: New FM Service in Appleton, Minnesota. File No. BPED-941108MB

Dear Mr. Stansbury:

The staff has under consideration the application of Minnesota Public Radio ("MPR") to construct a new noncommercial educational ("NCE") FM station in Appleton, Minnesota (File No. BPED-941108MB). MPR requests waiver of the Commission's main studio requirement, see 47 C.F.R. § 73.1125,¹ in order to operate the Appleton station as a satellite of its NCE station KNOW(FM), St. Paul, Minnesota. For the reasons set forth below, we will waive 47 C.F.R § 73.1125 and grant MPR'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 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 granting 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 the Appleton station as a satellite of KNOW(FM), St. Paul, Minnesota, approximately 110 miles from Appleton. 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

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

provides input to management on programming issues of interest to the residents throughout MPR's service area, including Appleton; (2) continue its existing relationship with the community of Appleton which has been established by means of its existing station KRSU(FM), Appleton, Minnesota; (3) solicit comments from MPR members in Appleton concerning programming and station operation; (4) base a "beat" reporter in Appleton 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 Appleton 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. We also remind MPR that it must maintain a public file for the new station in Appleton, as required by 47 C.F.R. § 73.3527(d). 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 for a new noncommercial educational FM station in Appleton, Minnesota (File No. BPED-941108MB) and its request for waiver of 47 C.F.R. § 73.1125 ARE GRANTED. The authorization will be forwarded under separate cover.

Sincerely,

Lisa Scanlan

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