

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

MAR 21 2006

IN REPLY REFER TO:
1800B3-ALM

Harry C. Martin, Esquire
Fletcher, Heald & Hildreth, PLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209

In re: WWTE(FM), Wellfleet, MA
Facility ID No. 122299
Horizon Christian Fellowship, Inc.
Request For Waiver of Section 73.1125
(Main Studio Rule)

Dear Mr. Martin:

This letter is in response to the January 31, 2006,¹ request for a waiver of Section 73.1125² of the Commission's rules submitted by Horizon Christian Fellowship, Inc. ("HCF"). HCF proposes to locate the WWTE(FM) main studio at its corporate headquarters in Fitchburg, Massachusetts. HCF states that the proposed location is located approximately 100 miles from Wellfleet.

Pursuant to section 73.1125(a), a main studio must be located either (1) within a station's principal community contour, (2) within the contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community.³ However, under Section 73.1125(b)(2), the Commission will waive these requirements 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 is considered on a case-by-case basis.

HCF has demonstrated that uniquely compelling circumstances support a waiver in this case. HCF has shown that it can achieve significant and continuing cost savings by locating its main studio in Fitchburg instead of Wellfleet. Specifically, HCF will save \$132,279.00 annually by utilizing equipment and staff already available at its Fitchburg headquarters. HCF states that

¹ A supplement to the request was made on March 16, 2006.

² 47 C.F.R. § 73.1125.

³ See Report and Order, *Review of the Commission's Rules regarding the main studio and local public inspection files of broadcast television and radio stations*, 13 FCC Rcd 15,691 (1998); *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("Reconsideration Order").

this sum will exceed the financial support available in Wellfleet, a community with a 2000 Census population of 2,749 residents. The Commission has previously recognized limited funding as a basis for permitting centralized operation for noncommercial educational stations and networks.⁴

Moreover, on the basis of commitments HCF has made, we are persuaded that WWTE(FM) will meet its public service obligations to the residents Wellfleet, Massachusetts. To that end HCF has pledged to (1) establish an advisory board comprised of community leaders to keep HCF abreast of the problems and needs of Wellfleet and surrounding communities; (2) hold, at least quarterly, meetings between HCF management personnel and the advisory board to ascertain community issues; (3) develop, on a weekly basis, programming that responds to the ascertained issues; (4) subscribe to newspapers published in Barnstable County; (5) broadcast, on a daily or weekly basis, a community bulletin board program that includes information and announcements concerning news and events in Wellfleet and the surrounding area; (6) air a 15-30 minute public affairs programming, on a weekly or monthly basis – as needs dictate, covering local issues; (7) establish a duplicate public inspection file for WWTE(FM) in Wellfleet and update it when new material is added to the official file in Fitchburg; and (8) maintain toll-free telephone number between Wellfleet and the WWTE(FM) main studio. In these circumstances, we are persuaded that HCF will meet its local service obligations and thus, that grant of the requested waiver is consistent with the public interest.

Finally, although HCF has pledged to maintain a duplicate copy of the WWTE(FM) public file in Wellfleet, we remind it, however, of the requirement that it maintain a public file for WWTE(FM) at its corporate headquarters in Fitchburg, Massachusetts. It must also make reasonable accommodation for listeners wishing to examine the file's contents.⁵ We further remind HCF that, notwithstanding the grant of the waiver requested here, the public file for WWTE(FM) must contain the quarterly issues and programs list for Wellfleet, Massachusetts as required by Section 73.3527(e)(8) of the Commission's rules.

In light of the above, the request for a waiver of the Commission's main studio rule, Section 73.1125 of the Commission's rules, submitted by Horizon Christian Fellowship, Inc., IS GRANTED.

Sincerely,



Peter H. Doyle
Chief, Audio Division
Media Bureau

⁴ See *Amendment of Section 73.1125*, 3 FCC Rcd 5027, 5027 (1988). See also letter from Chief, Audio Division, dated June 11, 2003, in re WTSE(FM), (reference 1800B3-JR).

⁵ See *Reconsideration Order*, 14 FCC Rcd 11113, 11129 at ¶45.