FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

April 6, 2007

IN REPLY REFER TO:
1800B3-EEB

David J. Kaufman, Esq.
Brown, Nietert & Kaufman, Chartered
1301 Connecticut Ave, NW
Suite 450
Washington, DC 20036

In Re: WVXR(FM), Richmond, Indiana
WVXW(FM), West Union, OH
Facility ID Nos. 74295 and 74301
Christian Voice of Central Ohio, Inc.

Application for Assignment of License
File Nos. BALED-20060829AAD
BALED-20060829AAE

Request for Waivers of 47 C.F.R. § 73.1125
(Main Studio Rule)

Dear Counsel:

The staff has under consideration the application to assign the referenced noncommercial educational ("NCE") FM stations for WVXR, Richmond, Indiana, and WVXW, West Union, Ohio, from Cincinnati Public Radio, Inc. ("CPR") to Christian Voice of Central Ohio, Inc. ("CVCO"). In the application, CVCO seeks waivers of Section 73.1125 in order to operate WVXR(FM) and WXVW(FM) as "satellites" of the NCE FM station WXVC, Chillicothe, Ohio.[1] For the reasons set forth below, we shall grant the assignment of license application.

Pursuant to Section 73.1125(a), a main studio must be located either (1) within a station's community of license, (2) within the principal community contour of any other broadcast station licensed to its community, or (3) within 25 miles of the center of its community of license.[2] 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 by an NCE station seeking to

---

[1] 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).

[2] *See Review of the Commission's Rules Regarding the Main Studio and Local Public Inspection Files of Broadcast Television and Radio Stations*, 13 FCC Rcd 15691 (1998), *recon. granted in part*, 14 FCC Rcd 11113 (1999) ("*Reconsideration Order*").

operate as the satellite of another NCE station is considered on a case-by-case basis. The Commission has recognized the benefits of centralized operation 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.[3] A satellite station must, however, demonstrate that it will meet its local service obligation to satisfy the Section 73.1125 public interest standard.[4]

CVCO's request is based on the economies of scale which would be realized by grant of its waiver, *e.g.*, avoiding the cost of equipping, staffing, and operating studios in the Richmond, Indiana, and West Union, Ohio, areas. We conclude that there is good cause to waive 47 C.F.R. Section 73.1125(a) under these circumstances. As noted above, CVCO proposes to operate WVXR(FM) and WVXW(FM) as a satellites of WVXC(FM), Chillicothe, Ohio. They are approximately 107 and 48 miles from Chillicothe, respectively. Where there is considerable distance between the parent and the satellite stations, we are particularly concerned that the licensee takes adequate measures to maintain its awareness of the satellite communities' needs and interests. To that end, CVCO has pledged to meet its local service obligations by: (1) maintaining an auxiliary studios at locations that comply with Section 73.1125 and that are capable of originating programming to meet local community needs; (2) contacting civic and community leaders in each station's community on a quarterly basis by telephone to ascertain the needs and interests of its residents; (3) recruiting civic and community leaders in each station's community to join in the periodic telephonic meetings of its Community Advisory Board; (4) maintaining an Internet site whereby the residents of each station's community can communicate directly with CVCO concerning programming and the local station's operation; (5) maintaining a toll-free number from each station's community and CVCO, by which residents can contact CVCO management; and (6) maintaining an up-to-date copy of each station's public file in its local communities as well as maintain all the stations' public files at the main studio of parent station WVXC.

In these circumstances, we are persuaded that CVCO will meet its local service obligations and thus, that grant of the requested waivers are consistent with the public interest. We remind CVCO, however, of the requirement that it maintain a public file for WVXR(FM), Richmond, Indiana, and WVXW(FM), West Union, Ohio, at the main studio of the "parent" station, WVXC(FM), Chillicothe, Ohio. It must also make reasonable accommodation for listeners wishing to examine the file's contents.[5] We further remind CVCO that, notwithstanding the grant of waivers requested here, the public file for WVXC(FM) must maintain the quarterly issues and programs list for WVXR(FM) and WVXW(FM), as required by C.F.R. Section 73.3527(e)(8).

---

[3] *Id.*

[4] *Id.*

[5] *See Reconsideration Order,* 14 FCC Rcd at 11129, Paragraph 45.

Accordingly, finding the applicants qualified and that grant of the assignment application would serve the public interest, convenience and necessity, the application (lead file no. BALED-20060829AAC) to assign the licenses from Cincinnati Public Radio, Inc. to Christian Voice of Central Ohio, Inc. and the concomitant requests for waiver of 47 C.F.R. Section 73.1125, ARE GRANTED. The authorization is enclosed.

Sincerely,

H. Taft Snowdon

H. Taft Snowdon
Supervisory Attorney
Audio Division
Media Bureau

cc: Christian Voice of Central Ohio, Inc.