

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Expansion of Online Public File Obligations) MB Docket No. 14-127
To Cable and Satellite TV Operators and)
Broadcast and Satellite Radio Licensees)

To: The Commission

**COMMENTS
OF
STAR EDUCATIONAL MEDIA NETWORK, INC.**

Star Educational Media Network, Inc. ("Star"), licensee of noncommercial Radio Stations WLAB-FM at Fort Wayne, Indiana and WCKZ-FM at Orland, Indiana, by Counsel and pursuant to the *Notice of Proposed Rule Making ("NPRM") FCC 14-209 (released December 18, 2014)*, hereby submits these Comments in the above-captioned rule making proceeding regarding the Commission's proposal to require all broadcast radio stations to post their public and political files onto the Commission's online database. The NPRM at paragraph 66 suggests that noncommercial educational radio stations ("NCE stations") such as WLAB and WCKZ be exempt from maintaining an online public file. For the reasons set forth below, Star supports an unqualified exemption for NCE stations from the obligation to maintain an online public file.

Long ago the Commission recognized that noncommercial broadcasters have limited resources since most of their funding comes directly from their listeners in the form of underwriting and general donations. Noncommercial broadcast

stations cannot interrupt regular programming to broadcast underwriting, sponsorship or donor announcements. Noncommercial broadcast stations must be particularly careful in the types of contests they promote so as not to indirectly promote the goods and services that might be the subject of the contest. And, noncommercial broadcast stations that lease portions of their broadcast schedule to third party programmers cannot charge a fee in excess of their line charges or legitimate operating costs.¹ For these and other reasons, the Commission has exempted NCE stations from numerous regulatory burdens that could impose additional costs, or it has minimized their regulatory burdens in recognition of the strict budgetary restraints within which most NCE broadcast stations operate.

Star operates both full power FM radio stations with a staff of less than five full-time people, and a host of volunteers. Star receives most of its funding from the sale of underwriting announcements and the receipt of general donations. Should the Commission require NCE radio stations to maintain an online public file, the cost to maintain such an electronic file would consume much needed funds that would otherwise be used for public interest programming. Many noncommercial broadcast stations already lack a robust online presence due to limited resources and requiring these stations to maintain an online public file would mean diverting scarce funds away from programming and ministry teaching in order to ensure regulatory compliance.

Star does not seek this exemption in an attempt to shirk its public interest responsibilities as a broadcaster. Just the contrary. The time and resources that

¹ See, Hoosier Broadcasting Corporation, DA 14-1770 (Released January 9, 2015).

would be required to set up and maintain an online public file could be put to better use so that Star can continue the interesting and valuable programming the public has come to expect from its radio ministry. For example, in 2009 and 2013 Star's WLAB-FM won the Station of the Year Award from the Christian Music Broadcasters. Star is continuously and diligently involved in the affairs of the Fort Wayne, Indiana community through its "Get Connected," "Street Team," "Star Cares," "Pray it Forward," and "Drive Thru Difference" outreach programs, all of which can be followed on Star's web site @ www.star883.com.

Although some of the Comments filed in this proceeding indicate that there is a public benefit derived from having an online public file with complete transparency of a broadcast station's political advertising activity, such transparency benefits are entirely inapplicable to NCE broadcast stations because they are prohibited from selling political advertising. Therefore, requiring online public file obligations for NCE radio stations will not advance the goals that originated in the petition that commenced this proceeding since an NCE public file does not contain any information about political spending or political advertising rates.

Should the Commission ultimately decide not to provide a complete online public file exemption for NCE radio stations there would necessarily have to be a limited exemption provided with regard to the donor's list in order for Star and other NCE entities to protect the privacy rights of their donors. Star could lose many of its donors if their names and other information were suddenly made public on the worldwide Internet. The Commission must carefully consider the ramifications of its policies here so that they do not back fire to the detriment of NCE radio broadcasters. Providing limited exemptions on public disclosure would be

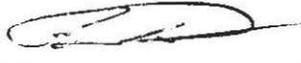
consistent with past Commission practices of excluding letters and emails from listeners from current NCE "paper" public files. *See, comparison of FCC Rules 73.3526 (Local public inspection file of commercial stations) to 73.3527 (Local public inspection file of noncommercial educational stations).*

If the Commission ultimately determines that online public file requirements should apply to some types of NCE radio stations, Star urges the Commission to adopt the same standard as it has for EEO reporting requirements and exempt NCE stations with fewer than five (5) full-time employees from having to post public files online. .

WHEREFORE, the foregoing premises considered, Star respectfully requests the Commission to adopt a full blanket exemption for NCE radio stations from any online public file obligation that might be implemented in the future.

Respectfully submitted,

**STAR EDUCATIONAL MEDIA
NETWORK, INC.**

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