

Springfield facility, because the economic efficiencies available at a single location are vital to the economic feasibility of their continued operation. Both waivers were granted subject to a number of conditions, including (1) a toll-free phone number to CCR's Springfield studios; (2) maintenance of the station public file at the local public library; (3) periodic consultations with members of the public in the station's community of license concerning community issues and programming interests; (4) broadcasting community calendar and other public service announcements for local organizations; (5) listing local area community events and providing an opportunity for members of the public to interact with CCR staff and management via the WLUIJ web site, www.wluj.org. The LR&O does not address the subject of waivers but, whatever rule the FCC adopts, it is essential that such waivers continue to be available. The reasons for granting such waivers in the first instance have not changed. KMDY is a good example: there are fewer than 30,000 people within the station's 60 dBu contour, and the previous licensee – which attempted to keep a main studio in Keokuk – *donated* the station to CCR because it was unable to support the continued cost of operation.

The current rules permit location of the WLWJ studio in Springfield because the studio location is within 25 miles of the community of license; when CCR acquired WLLM, the station was permitted to operate from CCR's Springfield studio because the studio location was within the principal community contour of another commercial radio station licensed to Lincoln.

If the FCC were to revert to its old community-of-license main studio rule, without waivers for noncommercial educational stations, CCR would have to operate *five* main studios instead of one, and three of them would be within a 30-mile radius. Solely on

the basis of the number of persons they serve, KMDY and WRLJ would no longer be economically viable, and WLWJ and WLLM would be marginal only under the most generous assumptions.

One of the major reasons that main noncommercial stations would not be economically viable without waivers of the main studio rules is the FCC's *policy* – not a rule – requiring every station that does not hold a waiver to have at least two full-time employees, including one present on the premises of the main studio at all times during normal business hours, e.g., 9:00 a.m. to 5:00 p.m. Although this policy is not addressed in the *LR&O*, it should be. This policy adds \$30,000-\$40,000 a year (even at near-minimum wages) to the operating cost of every noncommercial station that doesn't have a waiver of the main studio rule. If the FCC truly wants more broadcast stations to have a greater local presence, and to be more involved in the day-to-day affairs of the communities they serve, imposing greater restrictions on main studio locations isn't the answer. Rather, the "two-employee" policy should be repealed. Stations should be allowed to have main studios, and one full-time employee, or a few part-time employees, or even operate solely with volunteers, and those employees/volunteers should be free to move about their communities, meet with members of the public, and engage in dialogue with community leaders, and not be shackled to their desks by the leg-irons of FCC policies. Repeal of this policy would result in fewer main studio waivers, more stations serving rural communities with operating main studios, more locally-originated programming, and greater licensee involvement in community affairs.

It follows from this that a requirement to have an operator on duty at every single radio station, 24-hours-a day, seven-days-a week, to respond to "emergencies" is

confiscatory taxation-by-regulation and would have devastating effects on many, many noncommercial educational stations. If two full-time employees, 40 hours a week, means that many communities must go without a main studio, then a requirement to hire additional employees for an additional 128 hours a week would mean radical cutbacks in after-hours programming and many communities that would go without a station at all.

The proposal, moreover, has no practical value, particularly so far as radio stations are concerned. First of all, it ignores the EAS system. Second, all of the available data shows that, after six or seven p.m., the vast majority of Americans turn from radio to television as their source for entertainment and information. Third, even though some parts of the country may be more likely than others to experience, at some time, hurricanes, earthquakes, tornadoes, blizzards or flash flooding, for each individual community these are likely to be once-in-a decade experiences, or even less frequent proposal in the *LR&O* seeks to insure against events at odds so long that no gambler, no matter how rash, would ever wager on them.

B. Community Advisory Boards.

The FCC clearly does not understand how most noncommercial educational stations, and religious broadcasters in particular, finance their operations and interact with the communities which they are licensed to served.

Religious broadcasters do not receive large grants from the Corporation for Public Broadcasting and their programs are not underwritten by Fortune 500 companies. They are, overwhelmingly, listener-supported. Through their donations – or by withholding donations – members of the public directly influence the programming

choices of most of these noncommercial stations. If members of the public do not find a program responsive to their needs and interests, they will not support it, and the licensee will provide other programs until it finds one the public is eager to support. In that way, religious broadcasters are probably more responsive to the needs and interests of their communities than any other broadcasters.

It is, moreover, part of the mission of religious broadcasters to reach out to the greater community. They do so not only by broadcasting preaching, programs about Bible study, and inspirational music, but also programs about public affairs, health and educational issues, families and personal financial responsibility, with the goal of improving the lives of the entire community and not only those committed to a single religious viewpoint. Again, probably more so than commercial broadcasters, religious broadcasters seek to be active in the lives of their listeners, and their programming choices are profoundly influenced by direct feedback from their audiences in the form of comments and financial support.

Mandated, permanent community advisory boards would be problematic in at least two respects. First, boards representative of “all segments of the community,” as suggested in the *LR&O*, would inevitably include those whose purposes are different from and in some cases antithetical to the mission of religious broadcasters. Second, and equally important, such a board would be representative of only *special* interests, not the interests of the broader community that religious broadcasters are seeking to reach.

When it comes to ascertaining the most important needs and interests of the community, one size does *not* fit all. The FCC should instead revisit policies, such as

