



Federal Communications Commission
Washington, D.C. 20554

December 9, 2016

West Central Minnesota Educational TV Corp.,
d/b/a Pioneer Public TV
c/o Anne Goodwin Crump, Esq.
Fletcher, Heald & Hildreth, P.L.C.
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209

Re: KSMN, Worthington, Minnesota
Fac. ID No. 71558
Main Studio Waiver Request

Dear Counsel:

This is in regard to the above-referenced request for a waiver of Section 73.1125 of the Commission's rules (main studio requirements) filed by West Central Minnesota Educational TV Corp., d/b/a Pioneer Public TV ("Pioneer"). Pioneer seeks to consolidate the main studio of station KSMN, a noncommercial educational station (NCE) in Worthington, Minnesota, with the main studio of its other full-power station, KWCM-TV, at KWCM's planned new studio location in Granite Falls, Minnesota. For the reasons stated below, we grant the requested waiver.

In its waiver requests,¹ Pioneer states that a waiver of the rules will allow it to eliminate the expense of equipping, maintaining, and staffing duplicate main studios for KSMN and commonly-owned station KWCM-TV. Pioneer states it will be able to use these funds to produce quality educational and public affairs programming for the central and western regions of Minnesota. Pioneer also states that it has acquired and put into service a mobile studio vehicle which travels throughout its stations' service areas and provides the public ready access to station personnel. The mobile studio also produces special programming tailored to the communities it visits.

Pioneer details some of the local content it is able to ensure KSMN viewers, and notes that it is a member of the Minnesota Public Television Association, which acquires programs that feature state news and affairs. Pioneer explains that it provides the only source of Minnesota news and information in the area and is the only Minnesota-based television station in the DMA. It states that local programming is expensive for it to produce, so economizing and sparing resources in any way possible is vital.

Pioneer provides assurance that programming focused on Worthington and other communities within KSMN's viewing area will continue. Pioneer has started a new weekly local public affairs show which features both local residents and issues occurring in, and of interest to, the KSMN service area. Pioneer

¹ The applicant filed its original waiver request on December 19, 2014, and then filed a supplement to its request on May 25, 2016.

states that it has already produced multiple shows relating specifically to the Worthington area and plans to produce additional shows. Additionally, Pioneer commits to preserving ongoing contact with the community of Worthington. Pioneer already maintains a toll-free number, in compliance with section 73.1125(d) of the Commission's rules, so that viewers may reach the station, and also maintains both a station website and a Facebook page, through which viewers may contact the station and/or offer any comments or suggestions. Additionally, Pioneer has retained a Community Relations Representative who is dedicated to spending time in and writing about issues that deal with the communities in the KSMN service area.

Finally, Pioneer describes the financial difficulty of maintaining a separate main studio for KSMN in Worthington. According to Pioneer, the cost of maintaining a standalone main studio for KSMN greatly surpasses the amount of monetary support that Pioneer regularly receives as an NCE station from residents in Worthington. Moreover, with the small population of the area (12,764 residents as of the 2010 Census), it is unlikely that monetary support will significantly increase in the near future. Pioneer notes that the sparse population of Minnesota and the limited ability of broadcast stations to support multiple studios have led many stations to seek satellite authority and share studio facilities.² Pioneer contends that it wishes to conserve its funds and spend money on programming and other efforts to serve the public interest rather than on largely redundant studio facilities for KSMN.

Discussion. Section 73.1125 requires that each broadcast station operate a main studio either within the station's community of license; at any location within the principal community contour of any station, whether AM, FM, or TV, licensed to that community; or within twenty-five miles from the reference coordinates of the center of the community of license.³ Pursuant to Section 73.1125(c)(2), a licensee may request a ruling permitting it to locate its main studio outside of those locations. Although each such request by a noncommercial educational station is considered on a case-by-case basis, the Commission has recognized the benefits of centralized operation for noncommercial educational stations, given their limited funding, and has found that "good cause" exists to waive the main studio location requirement where satellite station operations for such stations are proposed.⁴ In order to obtain the waiver, an applicant must demonstrate that it will meet its local service obligations to satisfy the Section 73.1125 "public interest" standard.⁵

We conclude that the applicant has demonstrated that good cause exists to waive section 73.1125(a) of the Rules and to allow KSMN to co-locate its main studio with that of KWCM-TV's in Granite Falls, Minnesota. The Commission has repeatedly recognized the efficiencies of centralized operations for NCE stations—particularly for statewide networks.⁶ While not part of a statewide network, KSMN is an NCE station which Pioneer operates as part of a regional NCE service along with its other licensed stations. We also take note of other specific facts, such as the sparse population of the market and the

² Some of these arrangements include: stations KAWE, Bemidji, Minnesota, and KAWB, Brainerd, Minnesota, which share a main studio in Bemidji; stations WDSE, Duluth, Minnesota, and WRPT, Hibbing, Minnesota, which share a studio in Duluth; and station KSTP-TV, St. Paul, Minnesota, which operates KSAX, Alexandria, Minnesota and KRWF, Redwood Falls, Minnesota, as satellites.

³ 47 C.F.R. § 73.1125(a).

⁴ See *Amendments of Section 73.1125 and 73.1330*, MM Dkt. No. 86-406, Memorandum Opinion and Order, 3 FCC Rcd 5024, 5027, ¶ 30 (1988).

⁵ *Id.*

⁶ See, e.g., *KMAS-TV, Steamboat Springs, Colorado*, 22 FCC Rcd 2183 (2007).

limited financial resources of the station, in determining that centralized operations for this station would serve the public interest. We believe that permitting the station to co-locate its main studio with that of KWCM's in Granite Falls will enable the licensee to conserve economic resources so that it can better serve its community of license. Pioneer has demonstrated that it will continue to meet its local service obligations. We find that local viewer concerns will be addressed by the additional measures KSMN has already implemented – most notably its maintenance of a toll-free number, website, and social media page to enable viewers in the community to contact the station, and its ongoing commitment to providing programming responsive to the community's needs and interests, as demonstrated by its airing of a new weekly local public affairs show. Accordingly, we find that grant of a main studio waiver for KSMN would serve the public interest, convenience and necessity.

ACCORDINGLY, IT IS ORDERED that the request for a waiver of 47 C.F.R. § 73.1125(a) filed by West Central Minnesota Educational TV Corp., d/b/a Pioneer, to permit Pioneer to consolidate the KSMN main studio with that of KWCM's planned new studio location in Granite Falls, Minnesota, IS GRANTED.

Sincerely,



David Brown
Deputy Chief, Video Division
Media Bureau