



Federal Communications Commission
Washington, D.C. 20554
DEC 05 2002

Barry S. Persh, Esq.
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1200 New Hampshire Avenue, N.W., Suite 800
Washington, D.C. 20036-6802

In re: State of Wisconsin-Education
Communications Board

Request for Waiver of Section 73.3527(b)

Dear Mr. Persh:

The State of Wisconsin - Educational Communications Board ("Board") has requested a waiver of Section 73.3527(b), the Commission's rule regarding the location of broadcast stations' public inspection files.¹ The Board seeks authority to keep the public inspection files of its five noncommercial educational television stations and 13 radio stations, listed in the attached appendix, at its administrative headquarters in Madison, Wisconsin rather than at the stations' designated main studio.

Background. The Board is the licensee of five noncommercial educational television stations and 13 noncommercial educational radio stations located throughout the State of Wisconsin. See Appendix A. In support of its waiver request, the Board states that the relocation of the public inspection files to its administrative office will not only ease the personnel burdens on the Board, but also make the files more accessible to the public. The Board notes that the Commission has previously granted waivers of the main studio rule to allow each of its five noncommercial educational television stations to operate from a consolidated main studio in Madison, Wisconsin.² As a result, the Board currently maintains the public inspection files for each of its television stations at the designated main studio location, *i.e.*, Vilas Hall on the campus of the University of Wisconsin ("UWS") at Madison.

The Board asserts that it previously entered into a partnership with UWS to create and operate Wisconsin Public Radio ("WPR"). The Board's station WERN(FM) and UWS's station WHA(AM), both located in Madison, serve as the "hub" stations for the dual WPR networks. Stations WERN(FM) and WHA(AM) both originate programming from Vilas Hall, and the other stations forming the WPR network rebroadcast the programming of the hub stations. The Board and UWS also have an affiliation agreement for Wisconsin Public Television ("WPT"), a statewide noncommercial educational television network. Under the WPT arrangement, UWS's station WHA-TV in Madison is used as a network hub station and the Board's five television stations act as satellite/repeater stations throughout the state.

¹ 47 U.S.C. § 73.3527(b).

² See Letter to Margaret L. Miller, Esq. from Clay C. Pendarvis, Chief, Television Branch, Video Services Division, Mass Media Bureau (March 16, 2001).

The Board argues that if the public inspection files are relocated to the administrative office at the Wisconsin Public Broadcasting Center in Madison, Board personnel will have direct access to and control over the files. Currently, the Board has to send personnel across town to Vilas Hall when it has to update any of its 18 individual station files. The Board asserts that relocating the public files to the administrative headquarters will provide a more convenient location for members of the public, since the administrative headquarters are located on a major highway outside of Madison, as opposed to Vilas Hall, which is located in the heart of the University of Wisconsin's campus where parking is scarce. The Board indicates that it has already established a toll-free which permits residents throughout the state to reach the network headquarters in Madison without long-distance charges. The Board further states that it will post the new location of the public inspection files on each of the Board's Internet Web sites. The Board indicates that it already has a strong presence on the Internet at www.ecb.org (for all Board stations), www.wpt.org (for the Wisconsin Public Television stations) and www.wpr.org (for the Wisconsin Public Radio stations). According to the Board, if its waiver request is granted, each of its Web sites will announce that the files have been moved from Vilas Hall to the administrative headquarters.

Discussion. Section 73.5327(b) of the Commission's Rules requires that all FM, AM and TV station licensees maintain a public inspection file at the main studio of each station. We believe that the Board has justified its request to relocate its broadcast stations' public inspection files from the Madison campus of the University of Wisconsin to the Board's administrative headquarters also in Madison, Wisconsin. Allowing the Board to consolidate the public inspection files of its five noncommercial educational television stations and 13 radio stations will ease the personnel burdens of the Board as well as make the files more accessible to the public. We find that grant of the waiver requests will better serve the public interest as it will help defray costs of the Board, thereby allowing the Board to provide superior public broadcast programming to a larger number of viewers in Wisconsin.

At the same time, we are concerned that the Board take adequate measures to ensure that it maintain awareness of the needs and interests of its local viewers. We will require the Board to continue to maintain a toll-free number that will permit the residents of each station's community of license to contact the Madison headquarters without long-distance charges. We will also require the Board to post the new location of the public inspection files on each of the Board's Internet Web sites. We encourage the Board to continue to engage in and maintain dialogue with residents of its television and radio communities and to make widely known the means for gaining access to the public inspection files. We note that the Board is not relieved of any of its obligations under Section 73.5327 of the Commission's Rules, such as making available to persons within its geographic service area, "by mail upon telephone request, photocopies of documents in the file, excluding the political file; and the station shall pay postage. The Board also remains obligated to assist members of the public in identifying the documents they may ask to be sent to them by mail, for example, by describing to the caller, if asked, the period covered by a particular report and the number of pages included in the report.

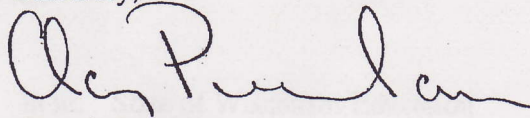
Federal Communications Commission

Washington, D.C. 20548

February 15, 2011

Accordingly, the requests for the waiver of 47 C.F.R. § 73.3527(b) filed by Wisconsin-Educational Communications Board, IS HEREBY GRANTED.

Sincerely,



Clay C. Pendarvis
Associate Chief, Video Division
Media Bureau

Very truly yours,

The Board of Wisconsin-Educational Communications Board ("Board") has requested a waiver of Section 73.3527(b) of the Commission's rules regarding the location of broadcast stations' public inspection files. The Board seeks authority to store its public inspection files at five noncommercial educational television stations and 13 radio stations located in the attached appendix at its administrative headquarters in Madison, Wisconsin rather than at the nearest designated main studio.

The Board is the licensee of five noncommercial educational television stations and 13 noncommercial educational radio stations located throughout the State of Wisconsin. See Appendix A. In support of its waiver request, the Board states that the relocation of the public inspection files to its administrative offices will not only ease the personal burden on the Board, but also make the files more accessible to the public. The Board notes that the Commission has previously granted waivers of the main studio rule to allow each of its five noncommercial educational television stations to operate from a consolidated main studio in Madison, Wisconsin. As a result, the Board currently maintains the public inspection files for each of its television stations at the designated main studio located on Villa Hall on the campus of the University of Wisconsin ("UW") in Madison.

The Board reports that it previously entered into a partnership with UW to create and operate Wisconsin Public Radio ("WPR"). The Board's station WERN(FM) and UW's station WHA(FM) both located in Madison, serve as the "hub" stations for the dual WPR network. Stations WERN(FM) and WHA(FM) both originate programming from Villa Hall, and the other stations forming the WPR network relay that programming to the hub stations. The Board and UW also have an affiliation agreement for Wisconsin Public Television ("WPT"), a statewide noncommercial educational television network. Under the WPT arrangement, UW's station WHA-TV in Madison is used as a network hub station and the Board's five television stations act as affiliate-power stations throughout the state.

¹ 47 C.F.R. § 73.3527(b).

² See letter to Margaret L. Miller, Esq. from Clay C. Pendarvis, Chief Technical Officer, Video Services Division, May 2008, Bureau Record 15, 2011.