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Via email (albert.shuldiner@fcc.gov; barbara.kreisman@fcc.gov)

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Albert and Barbara,

Minnesota Public Radio (“MPR”), licensee of noncommercial educational and CPB-funded radio stations KCMP(FM), Northfield, MN (Fac. ID No. 62162); KMSE(FM), Rochester, MN (Fac. ID No. 83876); ~~KNSR, Collegeville, MN (Fac. ID No. 42938); and~~ KGRP(FM), Grand Rapids, MN (172671); ~~KZIO, Two Harbors, MN (Fac. ID No. 68610); KNSE, Austin, MN (Fac. ID No. 90889); WSCN, Cloquet, MN (Fac. ID No. 42975); WIRC, Ely, MN (Fac. ID No. 172758); and~~ KGAC, St. Peter, MN (Fac. ID No. 42944) (collectively, the “Stations”), by counsel, hereby requests a limited waiver of Section 73.503(e)(3) of the Commission’s rules to permit the Stations to raise funds for the Twin Cities Music Community Trust during the Stations’ annual membership drive.

Twin Cities Music Community Trust (the “Trust”) is a local 501(c)(3) non-profit organization founded in 2006 with a mission that includes providing assistance and educational opportunities to people in the music community. In March 2020, the Trust established an Emergency Relief Fund to provide grants to members of the local music industry (including artists, managers, door staff, bartenders and merchandise sellers) who lost their gigs due to COVID-10. Grants provided by the Trust’s Emergency Relief Fund can be used to pay for rent, food, or other essential items.

The Stations seek a waiver of the Commission’s third-party fundraising rule so as to solicit funds for the Trust as an incentive to donate to the Stations during the Stations’ annual membership drive. (The membership drive will also be broadcast on the Stations’ associated translators.) More specifically, the Stations would announce on-air that individuals making a membership pledge may elect, as their “thank you” gift for donating, to “pay-it-forward” to the Trust. For each member electing that option, the Stations would make a monetary donation to the Trust. The Trust and its mission would also be described periodically on-air. If a waiver is granted, the Stations intend to begin announcing the pay-it-forward gift option when their membership campaign begins on January 16, 2021 at 12:00 a.m. The pay-it-forward gift option would be described periodically on-air throughout the membership campaign, which is scheduled to end on March 1, 2021 at 11:59 p.m. The total time spent describing or otherwise mentioning the pay-it-forward gift option would not exceed one percent of any of the Stations’ total annual airtime. MPR estimates that approximately \$5,000 would be raised for the Trust via the pay-it-forward gift option; the actual amount raised will depend upon the number of members who elect the pay-it-forward gift option.

This request is squarely within the public interest. Due to the COVID-19 pandemic, musicians and other gig workers have seen their livelihoods dramatically reduced, if not eliminated entirely. The mass cancellation of scheduled events, combined with the on-going inability to schedule in-person performances, has disproportionately impacted artists, managers, and venue staff who rely on such events for their income. Proceeds from the pay-it-forward gift option would directly benefit the Trust's Emergency Relief Fund and allow it to extend grants to additional qualified individuals. Previous grantees have shared their gratitude for the support this grant provides:

- "I can't say thank you enough for the support you are giving artists right now. The past month has been nothing short of devastating, but your generosity and the generosity of others in the community tells me that the Twin Cities music scene will bounce back from this."
- "Thank you very much for the Covid Relief. Pretty crazy going from 4-5 gigs a week to drier than a bone. I really appreciate the help."
- "Thank you SO much. This absolutely makes a difference in my life and takes some of the financial edge off of things, some relief. Humbled and grateful here."
- "Oh my gosh, thank you so much! Haven't been getting too much good news lately. I lost over 4 months of work in 36 hours and fear it's not over. Please keep in touch as this crazy crisis stabilizes."
- "I am so relieved!!!! I wish I could personally thank every individual who can make things like this happen. You have paid the majority of my mortgage for the month as I am still awaiting unemployment for my 1099 income. I can't say enough kind words to express my gratitude. It's days like today where I find a glimmer of hope in this mess."

The FCC's rules generally prohibit CPB-funded noncommercial educational stations from interrupting regular programming to conduct fundraising activity on behalf of third-party non-profit entities. 47 C.F.R. 73.503(e)(3). However, the FCC has elsewhere provided broadcasters with increased flexibility in light of the ongoing COVID-19 pandemic. *See, e.g., Media Bureau Provides Guidance On Political Advertising Lowest Unit Charge During Coronavirus (COVID-19) Pandemic*, Public Notice, DA 20-335 (Mar. 25, 2020). Here, too, the unique circumstances of the pandemic, along with the public interest, warrant a narrowly-tailored waiver to permit the Stations to use their airwaves to raise funds for the Trust. If the waiver is granted, the Stations will comply with the audience notice requirements in Section 73.503(e)(1) and the public file requirement in Section 73.3527(e)(14).

Please contact me if you have any questions or if additional information would be useful.

Respectfully submitted,

_____/s/
Kathryne Dickerson
Counsel for Minnesota Public Radio