



PUBLIC NOTICE

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REITERATION OF POLICY REGARDING ENFORCEMENT OF MAIN STUDIO RULE

The staff of the Audio Services Division, Mass Media Bureau, has recently received several requests for program test authority from permittees that have failed to construct in accordance with their construction permits. Specifically, these permittees have located their main studios in places other than their communities of license or at their transmitter sites, but have not been granted authority to do so based on a good cause showing as required by Section 73.1125 of the Commission's Rules. Consequently, their construction permits specify main studio location in the community of license or, for some AM permittees, at the transmitter site. Section 73.1620 of the Commission's Rules requires that a station be constructed in accordance with the terms of the construction permit before program tests can begin. In addition, the staff directs applicants' attention to the Commission's recent statement regarding main studio location:

In the future, we will examine applications to determine compliance with our licensing rules. If that exists, we will presume the licensee intends to serve the community designated. Compliance with the rules will result in the requisite signal to the community of license, location of the main studio in that community and a programming proposal that will serve the needs of the community of license. [Suburban Community Policy, 93 FCC 2d 436, 456 (1983) (emphasis added)].

Applicants are cautioned that in the future, in compliance with the Rules and policy stated above, the staff will not grant program test authority to directional antenna permittees and will revoke automatic program test authority of non-directional permittees if they have not complied with the main studio rule by either locating in the community of license or, for AM permittees, at the transmitter site or by receiving permanent authority based on a good cause showing for locating elsewhere.

-F.C.C.-