

[What Do The FCC Main Studio Rules Require? - Recent \\$21,000 Fine Offers Some Clarification](#)

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The FCC has continued this week on its recent tear of fining broadcast stations and other regulated entities for violations of FCC rules - in the last week proposing fines or reaching consent decrees relating to issues including [incomplete public files](#), [EAS violations](#), [unauthorized transfers of FM translators](#), and [tower lighting issues](#), among others. But [a fine](#) issued to a station a few weeks ago merits further review as it provides some more clarity as to what the FCC requires from a broadcast station's "**main studio.**" In this [recent case](#), the FCC proposed a \$21,000 fine to this broadcaster who allegedly did not have an adequate **main studio** or **public file**, and for **operating its AM station after sunset with its daytime facilities.**

What do the FCC main studio rules require? Currently, all full-power broadcasters (including Class A TV stations, with the limited exception of satellite television stations and some noncommercial radio satellite stations who may operate with main studio waivers) must maintain a studio either within its city of license, or at another site either within 25 miles of its city of license or within the city-grade contour of any station licensed to the same city of license as the station. As set out in **Section 73.1125** of the FCC rules, no matter where the studio is located, local residents must be able to reach the station by a **toll-free telephone call**. The rule, however, does not specifically state what must be at the main studio - those rules are either found elsewhere in the FCC rules or have been developed by caselaw.

Obviously, stations should have a **public file** at their main studio. The studio is also supposed to be open and staffed during **normal business hours** (normally something like 9 to 5). **At least two employees must report to the main studio as their principal place of business** on a daily basis, and at least one of those employees should be physically present during business hours. I like to tell clients that the studio is where these two employees have their desks with the pictures of their families, and where they sit and do their work when they are not on sales calls, or collecting the news or whatever else they may be doing. At least one of these two employees must also be a **management employee.**

The main studio must also be capable of **originating programming** and controlling the station. Just what does that mean? The [recent case](#) provides guidance on that issue. In that case, the licensee pointed to two locations as possible main studios. One was the station's transmitter site, but there were no production studios there, nor where there any people regularly there. The second was a private home. The home did house portions of the public file, and the station's sound board and microphone were at the house. Why did that not qualify as a main studio? The FCC found that there were no station employees there (presumably no one on the licensee's payroll), the site was not open to the public and it did not have continuous program transmission capability as it only had one telephone line - presumably for the resident's use, not for transmitting programming. This decision seems to imply that, to qualify as a main studio, the location needs to have a means to continuously broadcast - presumably either a dedicated phone line or an STL.

In this case, the \$21,000 fine was broken down \$7000 for the main studio violation, \$10,000 for the public file violation, and \$4000 for operating post-sunset at a power higher than permitted by the station license. Some might suggest that, in a ranking of real importance to the FCC's mission and service to the public, the amounts of those fines are backwards - shouldn't potential interference from overpower operation violating the terms of the station license be a more egregious violation than the failure to have a public file that no one ever visits?

In any event, the main studio remains an important part of FCC enforcement, and stations need to make sure that they are in compliance with the rules. Watch for more on tomorrow's meeting discussing the [Future of Media report](#) - now being called the report on the impact of technology on the information needs of communities - where more may be said about the rules relating to the main studio and public file.

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