

October, 22, 2005

Office of the Secretary
Federal Communications Commission
445 12th Street NW
Washington D.C. 20554

Licensee: SANTA MONICA COMMUNITY COLLEGE DISTRICT
Service Designation: FM 'Full Service' FM station or application

Channel/Class: 207B1 Frequency: 89.3 MHz Licensed
File No.: BLED-19980527KC Facility ID number: 59087
CDBS Application ID No.: 267625
License renewal number: BRED 20050729DRJ
Accepted for filing by the commission on 08/01/2005

Mailing address:
KCRI
1900 Pico Blvd
Santa Monica, CA 90405-1628

October 22, 2005

Office of the Secretary
Federal Communications Commission
445 12th Street NW
Washington, D.C. 20554

RE: License Renewal
KCRI FM
Facility ID number: 59087
License renewal file No: BRED-20050729DRJ
Indio, California

Dear Commissioners,

Please accept this as an informal objection to the license renewal request of radio station KCRI FM, licensed to the Santa Monica Community College District in the city of Indio, California.

This petition is filed in accordance with 47 CFR 73.3584, which states that any party can file a petition within "30 days after the issuance of public notice for the filing of the applications." Furthermore, this petition is being filed within the period specified by 47 CFR 73.3516 (e), which states that an informal objection must be filed by the "end of the first day of the last month of the expiring license term."

This petition is filed because the licensee has not met its public interest obligations. The station simply simulcasts its signal from Los Angeles with no effort to serve the local community.

KCRI currently has a "*special operating conditions or restrictions*" granted by the commission:

Waiver of 47 C.F.R. Section 73.1125 is granted to allow operation of the facility authorized by this permit as a satellite operation of KUSC (FM), Los Angeles, California (Facility ID No. 69318)

We request that this "*special operation restriction*" be revoked. A new licensee shall become a local voice for the community.

KCRI has repeatedly failed to:


1. cover local elections. Local citizens are given no information whatsoever by the licensee with regard to local candidates, election results and important social issues to be voted upon. It is incumbent upon a licensee to provide information on a continuing basis on the critical issues facing the community it serves.
2. provide a local presence and studio where citizens might be encouraged to conveniently participate in discussions relevant to the desert communities. The licensee's studios are located over 100 miles from Indio/Palm Springs.
3. provide local news, weather and traffic reports. Presently the only information the licensee provides is about Los Angeles and its coastal communities.
4. provide educational programming appropriate to the desert communities.
5. provide even a minimal amount of programming about cultural activities in the desert.
6. provide public service announcements about local charities.

As the FCC has noted in the past, localism has been a cornerstone of broadcast regulation for decades. Broadcasters must use the medium to serve the public interest by airing programming that is responsive to the interests and needs of their communities of license. KCRI has repeatedly failed to do so using the airwaves only to secure revenue through its fund raising efforts, none of which benefits the community of license.

In the event of a disaster along the scale of the Katrina hurricane, this community has no assurance that the current licensee will be in a position to provide adequate information to the citizens it is required to serve. Only a strong, local radio station with ties to the community could provide the level of information that will be required.

KCRI FM has followed a programming policy which is contrary to the local interests of this community. The Commission should recognize a limited right of access under the circumstances presented here, designate a hearing to consider whether granting a renewal of the license to the Santa Monica Community College District is in the public interest and grant all such other relief as may be just and proper.

Respectfully submitted,




Kerry E. Burke
Desert Coalition for Responsible Broadcasting
543 Tercero Circle
Palm Springs, CA 92262
Tel: (760) 325.2771

cc: Ruth Seymour, General Manager, KCRI

CERTIFICATE OF SERVICE

I, Kerry E. Burke certify that, on this 22nd day of October 2005, I caused to be served upon parties listed below by first class, certified mail, postage prepaid, copies of the foregoing Informal Objection to the following:

Ruth Seymour,
General Manager
KCRI Radio
1900 Pico Blvd
Santa Monica, CA 90405-1628


Kerry E. Burke

Federal Communications Commission Washington, D.C. 20554	Approved by OMB 3060-0110 (July 2004)	FOR FCC USE ONLY
FCC 303-S		
APPLICATION FOR RENEWAL OF BROADCAST STATION LICENSE		FOR COMMISSION USE ONLY FILE NO. BRED - 20050729DRJ
Read INSTRUCTIONS Before Filling Out Form		

Section I - General Information- TO BE COMPLETED BY ALL APPLICANTS

1.	Legal Name of the Applicant SANTA MONICA COMMUNITY COLLEGE DISTRICT					
	Mailing Address 1900 PICO BLVD.					
	City SANTA MONICA	State or Country (if foreign address) CA				
		ZIP Code 90405 - 1628				
	Telephone Number (include area code) 3104505183	E-Mail Address (if available)				
	FCC Registration Number: 0008615551	Call Sign KCRI				
		Facility Identifier 59087				
2.	Contact Representative (if other than Applicant) ANDREW S. KERSTING, ESQ.	Firm or Company Name DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP				
	Mailing Address 2101 L STREET, NW					
	City WASHINGTON	State or Country (if foreign address) DC				
		Zip Code 20037 - 1526				
	Telephone Number (include area code) 2029556631	E-Mail Address (if available) KERSTINGA@DSMO.COM				
3.	If this application has been submitted without a fee, indicate reason for fee exemption (see 47 C.F.R. Section 1.1114): <input checked="" type="checkbox"/> Governmental Entity <input type="checkbox"/> Noncommercial Educational Licensee <input type="checkbox"/> Other					
4.	Purpose of Application <input checked="" type="checkbox"/> Renewal of license <input type="checkbox"/> Amendment to pending renewal application If an amendment, submit as an exhibit a listing by Section and Item Number the portions of the pending application that are being revised. [Exhibit 1]					
5.	Facility Information: <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Noncommercial Educational					
6.	Service and Community of License a. <input type="checkbox"/> AM <input checked="" type="checkbox"/> FM <input type="checkbox"/> TV <input type="checkbox"/> FM Translator <input type="checkbox"/> LPFM <input type="checkbox"/> TV Translator <input type="checkbox"/> Low Power TV <input type="checkbox"/> Class A TV <table border="1" style="width: 100%;"> <tr> <td colspan="2" style="text-align: center;">Community of License /Area to be Served</td> </tr> <tr> <td>City: INDIO</td> <td>State: CA</td> </tr> </table> b. Does this application include one or more FM translator station(s), or TV translator station(s), LPTV station(s), in addition to the station listed in Section I question 1? (The call sign(s) of any associated FM translators, TV translators or LPTVs will be requested in Section V). <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Community of License /Area to be Served		City: INDIO	State: CA
Community of License /Area to be Served						
City: INDIO	State: CA					
7.						

Other Authorizations. List call signs, facility identifiers and location(s) of any FM booster or TV booster station(s) for which renewal of license is also requested. [Exhibit 2]

Section II - Legal - TO BE COMPLETED BY ALL APPLICANTS

1.	Certification. Licensee certifies that it has answered each question in this application based on its review of the application instructions and worksheets. Licensee further certifies that where it has made an affirmative certification below, this certification constitutes its representation that the application satisfies each of the pertinent standards and criteria set forth in the application, instructions and worksheets.	<input checked="" type="radio"/> Yes <input type="radio"/> No
2.	Character Issues. Licensee certifies that neither the licensee nor any party to the application has or has had any interest in, or connection with:	
	a. any broadcast application in any proceeding where character issues were left unresolved or were resolved adversely against the applicant or party to the application; or	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 3]
	b. any pending broadcast application in which character issues have been raised.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 4]
3.	Adverse Findings. Licensee certifies that, with respect to the licensee and each party to the application, no adverse finding has been made, nor has an adverse final action been taken by any court or administrative body in a civil or criminal proceeding brought under the provisions of any laws related to the following: any felony; mass media-related antitrust or unfair competition; fraudulent statements to another governmental unit; or discrimination.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 5]
4.	FCC Violations during the Preceding License Term. Licensee certifies that, with respect to the station(s) for which renewal is requested, there have been no violations by the licensee of the Communications Act of 1934, as amended, or the rules or regulations of the Commission during the preceding license term. If No, the licensee must submit an explanatory exhibit providing complete descriptions of all violations.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 6]
5.	Alien Ownership and Control. Licensee certifies that it complies with the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 7]
6.	Anti-Drug Abuse Act Certification. Licensee certifies that neither licensee nor any party to the application is subject to denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862.	<input checked="" type="radio"/> Yes <input type="radio"/> No

I certify that the statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I acknowledge that all certifications and attached Exhibits are considered material representations. I hereby waive any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and request an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

Typed or Printed Name of Person Signing THOMAS J. DONNER	Typed or Printed Title of Person Signing EXECUTIVE VICE PRESIDENT/BUSINESS & ADMINISTRATION
Signature	Date 07/29/2005

WILLFUL FALSE STATEMENTS ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

<http://svartifoss2.fcc.gov/cgi-bin/ws.exe/prod/cdbs/forms/prod/cdbsmenu.hts?context=25...> 10/21/2005

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this report. We will use the information you provide to determine if the benefit requested is consistent with the public interest. If we believe there may be a violation or potential violation of a FCC statute, regulation, rule or order, your request may be referred to the Federal, state or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your request may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party to a proceeding before the body or has an interest in the proceeding. In addition, all information provided in this form will be available for public inspection. If you owe a past due debt to the federal government, any information you provide may also be disclosed to the Department of Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to those agencies through the matching of computer records when authorized. If you do not provide the information requested on this report, the report may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Your response is required to obtain the requested authority. We have estimated that each response to this collection of information will average 3 hours. Our estimate includes the time to read the instructions, look through existing records, gather and maintain required data, and actually complete and review the form or response. If you have any comments on this estimate, or on how we can improve the collection and reduce the burden it causes you, please write the Federal Communications Commission, AMD-PERM, Paperwork Reduction Project (3060-0110), Washington, D. C. 20554. We will also accept your comments via the internet if you send them to Leslie.Smith@fcc.gov. Remember - you are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0110.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1995, P.L. 104-13, OCTOBER 1, 1995, 44 U.S.C. 3507.

Section III - TO BE COMPLETED BY AM and FM LICENSEES ONLY

1.	Biennial Ownership Report: Licensee certifies that the station's Biennial Ownership Report (FCC Form 323 or 323-E) has been filed with the Commission as required by 47 C.F.R. Section 73.3615.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 8]
2.	EEO Program: Licensee certifies that: a. The station's Broadcast EEO Program Report (FCC Form 396) has been filed with the Commission, as required by 47 C.F.R. Section 73.2080(f)(1). Specify FCC Form 396 File Number : B396 - 20050729DIK b. The station has posted its most recent Broadcast EEO Public File Report on the station's website, as required by 47 C.F.R. Section 73.2080(c)(6).	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 9] <input checked="" type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A See Explanation in [Exhibit 10]
3.	Local Public File. Licensee certifies that the documentation, required by 47 C.F.R. Section 73.3526 or 73.3527, as applicable, has been placed in the station's public inspection file at the appropriate times.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 11]
4.	Discontinued Operations. Licensee certifies that during the preceding license term, the station has not been silent for any consecutive 12-month period.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 12]
5.	Silent Station Licensee certifies that the station is currently on the air broadcasting programming intended to be received by the public.	<input checked="" type="radio"/> Yes <input type="radio"/> No
6.	Environmental Effects. Licensee certifies that the specified facility complies with the maximum permissible radiofrequency electromagnetic exposure limits for controlled and uncontrolled environments. Unless the licensee can determine compliance through the use of the RF worksheets in the Instructions to this Form, an Exhibit is required. By checking "Yes" above, the licensee also certifies that it, in coordination with other users of the site, will reduce power or cease operation as necessary to protect persons having access to the site, tower, or antenna from radiofrequency electromagnetic exposure in excess of FCC guidelines.	<input checked="" type="radio"/> Yes <input type="radio"/> No See Explanation in [Exhibit 13]

Exhibits

Attachment 13

Description
Environmental Effects
Engineering Statement