

U. S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WASHINGTON, D. C. 20510

A.D.
23CN 402

JUN 7 1973

This is in further reply to your letter of April 10, 1973, concerning the application of section 13(b)(9) of the Fair Labor Standards Act to radio and television stations in the [REDACTED]

[REDACTED] (formerly part of the [REDACTED] [REDACTED]) were recognized by the Office of Management and Budget as a separate standard metropolitan statistical area in November, 1972. In almost all cases the name of a central city or cities is incorporated in the name of the standard metropolitan statistical area. In the case of the [REDACTED], [REDACTED] there is no such designation nor is there any one city with a preponderance of population in either [REDACTED] or [REDACTED]. [REDACTED] County has more than half of the population in this [REDACTED] and the greater part of the population in [REDACTED] is close to the line separating the two counties.

Therefore, in this instance the exemption provided in section 13(b)(9) will be considered to apply to any radio or television station if the major studio is located in a city or town with 25,000 population or less provided the city or town is at least 40 airline miles from the [REDACTED] County line.

Sincerely,

/s/ Ben P. Robertson

Ben P. Robertson
Acting Administrator
Wage and Hour Division