



March 15, 2018

Marlene H. Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington DC 20554

Re: Notice of Ex Parte Communication, RM- 11787 and RM-11727

Dear Ms. Dortch:

On March 13, 2018, Caroline Beasley, CEO of Beasley Media Group, LLC, Randy Gravely, President and CEO of Tri-State Communications, Inc., and the undersigned of the National Association of Broadcasters (NAB) met with Chairman Ajit Pai and Matthew Berry, Chief of Staff to Chairman Pai, and separately with Michelle Carey, Al Shuldiner and Thomas Horan of the Media Bureau, to discuss certain radio policy issues pending in the above-captioned proceedings.

Specifically, we urged the Commission to not move forward with a proposal to create a new “Class C4” of FM stations in between the Class A and Class C3 services.<sup>1</sup> The concerns over potential interference are too great, especially in light of the Commission’s need to address challenges with interference between FM translators and full power stations. This is not the time, if ever, to introduce another category of FM service.

We discussed a Petition for Rulemaking filed last April by NAB that proposes policy and rules changes designed to increase the certainty of translators and facilitate the handling of interference complaints against translators.<sup>2</sup> Among other suggestions, the petition seeks to provide translators more flexibility to relocate to any available channel on the FM dial, as a minor change,<sup>3</sup> to avoid interference. This proposal received overwhelming support as an efficient, cost-effective way for translators to cure interference.<sup>4</sup>

Translators are an increasingly important asset for broadcasters. FM stations use translators to provide needed fill-in service, and to carry highly-valued programming on HD Radio multicast channels. In addition, pursuant to the Commission’s AM Radio Revitalization

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<sup>1</sup> FCC Items on Circulation, <https://www.fcc.gov/items-on-circulation>.

<sup>2</sup> Petition for Rulemaking, National Association of Broadcasters, RM-11787 (Apr. 20, 2017).

<sup>3</sup> 47 C.F.R. § 74.1233.


<sup>4</sup> Reply Comments of the National Association of Broadcasters, RM-11787 (filed June 14, 2017), at 3.

proceeding, thousands of AM broadcasters are now able to use translators to provide improved service.

Accordingly, we urged the Commission to promptly advance NAB's Petition to a Notice of Proposed Rulemaking. Taking such action will benefit the millions of listeners who now rely on the valuable programming provided via translators and should certainly take priority over consideration of the Class C4 proposal, which may only exacerbate interference problems on the FM band.

NAB appreciates the opportunity to share our views on this matter. Please direct any inquiries to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick Kaplan", with a long horizontal flourish extending to the right.

Rick Kaplan  
General Counsel and Executive Vice President  
Legal and Regulatory Affairs  
National Association of Broadcasters

cc: Chairman Ajit Pai, Matthew Berry, Michelle Carey, Al Shuldiner, Thomas Horan