

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
2018 Quadrennial Regulatory Review –	)	MB Docket 18-349
Review of the Commission’s Broadcast	)	
Ownership Rules and Other Rules Adopted	)	
Pursuant to Section 202 of the	)	
Telecommunications Act of 1996	)	

To: The Commission

**COMMENTS OF ALPHA MEDIA LLC**

Alpha Media LLC (“Alpha”) hereby submits these Comments in the above-captioned proceeding.<sup>1</sup> Alpha is a growing radio broadcast company providing media, entertainment and digital marketing solutions. Live and local is at the foundation of everything we do. Currently, we operate 207 radio stations in 45 markets across 25 states. With respect to local radio ownership, Alpha endorses the plan advanced by the National Association of Broadcasters (“NAB”), which urges the Commission to change its rules to allow a company to own up to eight FMs in the top 75 markets while at the same time permitting the operator to own or control a limitless number of AM stations. Beyond the top 75 markets and in unrated markets, Alpha agrees with the NAB that all local radio ownership restrictions should be removed. In addition, to encourage broadcasters to take part in the Commission’s incubator program, Alpha agrees that those companies be permitted to own or control two additional FMs—for as many as ten FMs in the top 75 markets.

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<sup>1</sup> 2018 Quadrennial Regulatory Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996, MB Docket No. 18-349 (rel. December 12, 2018) (“NPRM”).

When the Commission originally adopted the AM/FM sub caps, it did so on the basis that there were technological and marketplace differences between AM and FM stations that potentially would disadvantage AM stations.<sup>2</sup> But the technical and marketplace dynamics that may once have differentiated AM and FM stations no longer exist. As the NAB and others have underscored for the record, recent advances in technology, including online streaming, HD radio, and the use of FM translators to augment AM station broadcast signals, have improved the ability of AM radio to compete in the marketplace. In addition, many of the top stations in large and small markets are AM radio stations. Further, lifting the sub caps will create new opportunities for divested stations, including minorities, women, and small businesses, because broadcasters will buy and sell certain in-market stations to strengthen existing station clusters. Moreover, radio station owners will be in better financial positions to devote additional resources to local programming.

In the current, highly competitive marketplace, audio service is simply audio service. AM stations can be broadcast by FM translators, over the internet, on in-home devices, digitally, and on FM HD-2 channels. The marketplace disparities between AM and FM stations have been eradicated by the increasing competitiveness of AM stations and the advent and expanding utilization of digital radio technology. The sub caps have long been unsustainable and should not be maintained as an aspect of the local radio ownership rule.

The Commission should act in a manner that reflects competitive changes to the marketplace, and reconsider and eliminate the AM/FM sub caps consistent with NAB's comments submitted in this proceeding.

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<sup>2</sup> *Review of Radio Rules and Policies, Report and Order*, 7 FCC Rcd 2755, 2778 (1992).

Respectfully submitted,

**ALPHA MEDIA LLC**

By: /s/ D. Robert Proffitt

D. Robert Proffitt  
President and Chief Executive Officer  
1211 SW 5th Avenue Suite 750  
Portland, OR 97204  
(503) 517-6200

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