**BEFORE THE**

**FEDERAL COMMUNICATIONS COMMISSION**

**WASHINGTON, D.C. 20554**

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In the matter of )

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Amendment of Part 74 of the Commission’s Rules )

Regarding FM Translator Interference, Etc. )

) **MB Docket No. 18-119** )

)

To: The Commission

**SUPPLEMENTAL COMMENTS**

The New Jersey Broadcasters Association (the “NJBA”), its members being substantially all of the radio and television broadcast stations licensed to New Jersey, hereby submits its Supplemental Comments in response to the April 18, 2019 Proposed Report and Order released as part of a “permit-but-disclose” proceeding, hereby file these Supplemental Comments in augmentation of its previous supplemental comments filed in the instant proceeding on April 25, 2019 and respectfully requests a 30 day extension for further comments to be filed in this matter.

1. At the outset, the NJBA thanks the Commission for its consideration of our previously filed comments in this matter. We thank the Commission for adopting some of our suggestions and hope this document will serve as impetus to revisit the proposed Report and Order as set forth in the notice circulated for consideration at the May 9th, 2019 FCC Open Meeting.
2. We renew our request to have the Commission adopt a 40 dBu contour limit for the reasons previously stated, with the caveat that this stipulation be applicable to states consistent with the spirit of previous legislative mandates directing that the “Federal Communications Commission shall for full-service FM stations that are licensed in significantly populated States with more than 3,000,000 population and a population density greater than 1,000 people per one square mile land area…” (See PP 4 infra) thereby taking into consideration the unique characteristics attributable to New Jersey’s broadcast community.
3. New Jersey has historically been and continues to be at the short end of broadcast allotments with respect to television, AM and FM.  All too often, New Jersey is left behind to neighboring New York and Pennsylvania. Nevertheless, New Jersey has developed, with the representation of the New Jersey Broadcasters Association, an active and committed group of radio broadcasters serving our diverse and growing radio audiences who rely on our commercial radio stations for their news, EAS Alerts, and entertainment. See Comments previously filed by Press Communications in this matter.
4. The inequitable errors of Section 307B made for three quarters of a century by unfair allocations of frequencies and power to our broadcasters should not be exacerbated by new rule changes that would negatively impact our broadcasters and the audiences they serve.
5. To address this unacceptable situation, Sen. Frank Lautenberg offered and passed legislation to protect NJ from the interference issues generated by LPFMs and Translators, and especially as it pertains to this latest rulemaking, currently set for a vote at the FCC’s May 9th open meeting.
6. We hereby amend our comments to make reference to this legislation (H.R. 6533, a copy of which is attached hereto and incorporated herein by reference.) and respectfully ask that New Jersey broadcasters be protected as per the spirit and intent of the protections we sought and received from Congress to relieve New Jersey listeners from FM translator and LPFM interference.  We firmly ascribe to the maxim that “*interference is interference*”, from any source, thereby adversely impacting our diverse listening audiences.
7. Also, as a clarification to misquoted media reports, the NJBA concurs with the recommendation of the NAB increasing the number of complaints from as few as one (1) to a minimum of six (6). However the NJBA feels very strongly that the maximum number of complaints any station in the state should suffer before relief is granted be no more than 12. Finally, the NJBA respectfully requests the Commission to postpone any votes on this matter and extend the time period in which to file further responses by 30 days in order for the NJBA and other respondents to more fully provide supplemental comments and information to the Commission, which may impact on any decision relative to this proposed rulemaking.

Respectfully submitted,

**NEW JERSEY BROADCASTERS ASSOCIATION**

By /s/ Paul S. Rotella

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April 30, 2019