

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC

In the matter of:)
)
Amendment to Sections 74.1203(a)(3) and)
74.1204(f) of the Commission’s Rules to) RM-11786
Protect Local Radio Service provided by Fill-)
In Area FM Translators)

SUMMARY

REC Networks (“REC”) is filing comments in the above captioned *Petition for Rulemaking*. As REC has concerns and interests in both the LPFM community as well as broadcasting in rural areas, we have introduced what could be seen as a counterproposal to what was proposed by Aztec Capital Partners, Inc. (“Aztec”)

REC supports portions of Aztec’s petition as they relate to Class C and Class D AM stations. These stations are the most vulnerable to substantially degraded service due to electrical interference from emerging technologies. These stations have the most to benefit from AM Revitalization efforts. REC also feels that we need to also have rules in place that put non-commercial LPFM stations in the same category as Class C and D AM stations. We see most LPFM stations and many Class C and D AM stations to be community-focused and in the case of the latter, are more likely to be owned by families, minorities, women and small regional group owners as opposed to the more viable Class A and B stations which are more likely to be owned by national interests.

REC will raise a concern that translators operated by LPFM stations are being lumped into the same classification as full-power FM stations located as far as 60 miles or even further from a translator. Our comments will assure that an FM translator operated by an LPFM station will receive the same protection benefits as a Class C or D AM station.

We are also concerned about services and situations that are not in a similar situation as Class C and D AM stations are. With that, we are opposing including translators that are carrying Class A or B AM stations, translators that operate as “fill-in” for FM stations (including those that carry HD subchannels) and Class C and D stations that are proposing a translator with a service contour that exceeds a 25 mile radius from the AM site unless the portion of the proposed translator service contour serves the AM station’s community of license at points further than the 25 mile limit.

REC is also asking the Commission to update the 1990 vintage rules to assure that established secondary LPFM stations as eligible for protections from new translators in the same manner that Class D (secondary) non-commercial educational stations are.

Finally, we are also asking for some non-controversial “housekeeping”-related changes to §74.1204 in order to reflect the 2012 service name change from “LP100” to “LPFM” and to clarify that LPFM stations that operate traveler’s information services are not the only LPFM stations that have been authorized by rule or waiver to operate directional antennas and like with TIS LPFMs stations, those stations need to be protected by FM translators as they are non-directional facilities.

Respectfully submitted,

/S/
Michelle Bradley
Founder
REC Networks
11541 Riverton Wharf Rd
Mardela Springs, MD 21837
<http://recnet.com>

May 1, 2017

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COMMENTS OF REC NETWORKS

REC Networks (“REC”), through our advocacy has been involved for nearly three decades on issues that affect a citizen’s access to broadcast spectrum. For nearly the past two decades, this has been the promotion and ongoing advocacy of the Low Power FM (LPFM) radio service. For the past few years, REC has been the primary policy advocate regarding the LPFM service.

As part of an overall solution, REC is also involved other broadcast services that affect rural areas. This includes Class C AM stations, which are very limited in coverage, especially in areas such as the deep south where ground conductivity is so bad, the average 2 mV/m contour for Class C stations is only 16.6 miles¹, which is well under the national average of 22.5 miles. This also includes Class D stations, which historically served their communities during the daytime only and would yield through the night for the more dominant stations from the big cities. As REC’s research had shown through the REC Radio History Project, many of these Class D AM stations would have to beg and plead with the FCC and at times may be given special temporary authority to operate on certain nights to cover local community events such as

¹ - Averages based on distance to farthest lobe at 10 degree increments.

high school football games, religious programming as well as community social and political functions². While over the years, many Class D AM stations were given some form of a full nighttime authority, many stations are still only authorized to operate daytime only.

I. MANY CLASS C AND D AM STATIONS ARE “COMMUNITY” STATIONS

1. Like with LPFM stations, many Class C and Class D stations, especially located in rural areas are not owned by the few major corporations that we expect to own stations. Instead, these stations may be owned by families (mom and pop), minorities, women or small group owners with their roots deeply planted in those local communities and the region surrounding it. Some run their AM stations to serve their community with a companion station to a co-owned FM station. In some deep rural areas, these stations are the only choices for listeners who want local information and for advertisers who want local rates.

2. These are the reasons why REC supported expanding FM translators to Class C and D AM stations. In MB Docket 13-249, we also supported an expansion of the fill-in boundary to a generous 25 mile radius and in some limited circumstances, to the 2 mV/m contour as this will afford additional opportunities for Class C and D AM stations, many without a budget to have an FM voice while not having to resort to directional antennas or bad building

² - See WBIG (formerly WMRO), Aurora, IL (Facility ID #5217), History Card, B4-S-995 (Granted, March 10, 1943 to operate from 7:30PM until 9PM on March 11 and 12, 1943 to broadcast high school tournament basketball games and from 8PM to 9:15PM on March 13, 1943 in order to broadcast a basketball game from Elgin, IL. All with the condition that power is reduced [from 250 watts] to 100 watts.). Also B4-S-995 (Granted, December 22, 1943 to allow additional time until 1AM on Christmas Eve to broadcast religious music and church services). Also B4-S-995 (Granted April 2, 1942 to rebroadcast election returns until 11PM on April 3).

penetration in order to satisfy a tiny 2 mV/m contour.³ Class C and D AM as well as LPFM are a part of a radio renaissance that is seeing more of a focus on community-owned and community-focused stations, especially in light of the financial failures of iHeart Media and other major radio corporations.

3. Now, we are at a turning point for smaller commercial radio. Recently in Las Vegas, Commission Chairman Ajit Pai had announced that he is anticipating a filing window for new FM translators, limited to a single translator for each Class C and D AM licensee that did not participate in the 2016 “250-mile” window to be held later this summer.⁴ REC supports this decision by the Commission and we look forward to working with rural Class C and D stations who wish to participate in this window. However with that, we do have some concerns in regards to the protection of LPFM stations.⁵

³ - See *Comments of REC Networks*, MB Docket 13-249, March 18, 2016) (REC supported a 25 mile fill-in radius with exceptions for situations where outside of the 25 mile radius, the primary station’s community of license is located, in cases where the station is proposed for inhabited islands without commercial FM stations and in all cases for AM stations in the state of Alaska.)

⁴ - See *Remarks of FCC Chairman Ajit Pai at the National Association of Broadcasters Show, Las Vegas, April 25, 2017*. (“Now that the Incentive Auction has been completed, I’m pleased to report that we should be able to open the first application window, which will be for Class C and D stations, this summer.”)

⁵ - Also see *Revitalization of the AM Radio Service, First Report and Order, Statement of Commissioner Mingon L. Clyburn*. 30 FCC Rcd 12145 et seq (2015) (“First R&O”).

II. LPFM STATIONS ARE ALSO COMMUNITY STATIONS. THEIR ONLY CHANNELS MUST PROTECTED FROM TRANSLATOR GROWTH

4. With all of the recent fluidity in spectrum through all of the translator movement and because of the inconsistency between the protection rules for LPFM (§73.807) and the protection rules for FM translators (§74.1204), we have found that translators have been taking advantage of the existing rules and because of a lack of a separate call-out of LPFM in §74.1203(a)(3), many, including even Commission staff are confused on what to do if a new FM translator causes interference to an existing LPFM translator and creates interference within the LPFM's protected contour and/or causes established listeners outside the LPFM's protected contour but within the new translator's protected contour to lose service.

5. Recently, REC had received a report from an LPFM station that was receiving actual interference from within their protected contour from a newly established FM translator. When they contacted the Commission and asked about §74.1203, they were told that “because translators and LPFMs are both secondary services” that they had to “live with it”. We do note that the specific services called-out in §74.1203(a)(3) state that “any authorized broadcast station” also includes “TV Channel 6 stations, *Class D (secondary) noncommercial educational FM stations, and previously authorized FM translators and FM booster stations.*” (Emphasis added)⁶ We note that §74.1203(a) has not been amended since 1990, as pointed out by the petitioner.⁷ Therefore, the rule has not been amended since the creation of LPFM. REC feels that LPFM stations are subject to those same protections afforded to “equal in status” FM translators and

⁶ - See 47 C.F.R. §74.1203(a)(3).

⁷ - Petition at page 1, referencing *Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations*, Report and Order, 5 FCC Rcd 7212 (1990), *aff'd* Memorandum Opinion and Order, 8 FCC Rcd 5093 (1993).

Class D (secondary) stations, the original LPFM. With that, we feel that this proceeding would be a good venue to fix a 17-year oversight and add LPFM as a specifically called-out service in §74.1203(a)(3) of the Rules.⁸

III. THE AZTEC PROPOSAL

6. Let's look at the specific proposal at hand here. Aztec Capital Partners ("Aztec") is petitioning to amend §74.1203(a)(3) and §74.1204(f) of the rules so that "local radio service is not forestalled or removed by distant radio stations far outside the local radio market."⁹ Specifically, Aztec wishes to add protections that any FM translator that is providing "fill-in" service for any AM or FM broadcast station (e.g. operating inside the 2 mV/m contour/25 mile radius for AM or inside the 60 dBu protected contour for FM) cannot be displaced by an interference complaint from an incumbent FM station. REC has seen some cases where a translator application has been stalled because an FM station claimed they had one listener more than 50 miles away that may not be able to listen because of the translator. In a case like this, we can understand the concern that Aztec is raising and could bring up a question of how far is too far. REC does not feel the distance is not as much of a deciding factor as it is the purpose of the translator.

⁸ - In what we consider a non-controversial "housekeeping" change, we are also proposing to change the title of §74.1204 and to make changes to paragraph (a) to change references to "LP100" to "LPFM". This change was made in the LPFM service when the LP10 service was eliminated (See *Creation of a Low Power Radio Service*, Sixth Report and Order, 27 FCC Rcd 15402 (2012) at 202). We also propose to remove the reference to "TIS" in the "Note to Paragraph (a)(4)" and reference that all LPFM stations are protected as non-directional antennas. This is in the wake of the 2012 rule change permitting the use of directional antennas for the purpose of second adjacent channel waivers (*Id.* at 79) and in waivers where directional antennas are used to protect foreign stations (See *North End Woodward Community Coalition*, BNPL-20131113ABG (Granted May 20, 2014) at Exhibit 11). Form 318 and CDBS currently does not have the capability to protect an LPFM station as a directional station.

⁹ - Petition at 1.

IV. TRANSLATORS FOR LPFM STATIONS ARE PROVIDING LOCAL SERVICE DESPITE AZTEC CONSIDERING THEM “OUT-OF-AREA”.

7, There are currently a small number of FM translators that are rebroadcasting LPFM stations. As the Commission recognized in 2012 that FM translators for LPFM stations “could be beneficial, improving local service to oddly-shaped communities and to rural communities that could receive at best, only partial LPFM coverage.”¹⁰ In order to assure localism, the Commission placed several restrictions on LPFM’s ownership of translators including an ownership limit of two facilities, a requirement of some kind of contour overlap between the translator and the primary (LPFM) station, an over the air reception requirement and a maximum placement of 20 miles from the primary LPFM station.¹¹ In response to the original Report and Order to AM Revitalization MB Docket 13-249, REC filed a Petition for Reconsideration¹² to the format of the 2017 filing window for new FM translators stating that Section 5(2) of the Local Community Radio Act (LCRA)¹³ states that decisions on the granting of licenses for LPFM and FM translator stations must be done based on community need.¹⁴ In our Petition, we stated that community need had been addressed by Prometheus Radio Project to include LPFM stations in an upcoming translator window.¹⁵ Our argument was that by limiting

¹⁰ - See *Creation of a Low Power Radio Service*. Sixth Report and Order. 27 FCC 15402 (2012) at 141.

¹¹ - See 47 C.F.R. §73.860(b).

¹² - See *REC Networks Petition for Reconsideration*, MB Docket 13-249 (February 2, 2016, pending).

¹³ - Pub L. No. 111-371, 124 Stat. 4072 (2011)

¹⁴ - *Id.* at §5(3).

¹⁵ - See *Prometheus Radio Project*, MM Docket 99-25 & MB Docket 13-249; *ex parte* letters (December 11, 2013, December 23, 2013 and August 4, 2014). (“Prometheus representatives argued that [...] holding an FM translator window exclusively for LPFM licensees would significantly unburden LPFM stations while remaining faithful to the word and intention of the Local Community Radio Act.”)

the 2017 translator window series to AM licensees, the Commission is ignoring a community need established by LPFM who has not been able to apply for translators under the recently modified rules. We also note that there are also FM translators that are not licensed to the LPFM licensees but are carrying LPFM stations and therefore are regulated like any other non-commercial educational translator.¹⁶

8. In virtually all of these cases, the protected contour of the FM translator may be close but will not necessarily completely remain inside the primary service contour of the LPFM station. These translators are providing service to a community adjacent to the LPFM station but in the eyes of Aztec, the primary station is still “far outside the local radio market”¹⁷. Anything can be further from the truth. LPFMs are more likely to provide a very local service to their translator areas but under Aztec’s logic, they are just as bad as the station many miles away that is giving them heartburn. If the Commission is to consider moving forward on Aztec’s petition, we must assure that FM translators that carry LPFM stations and meet the requirements of §73.860(b)(1) through (3) should also be afforded the same protections as translators carrying “local” services.¹⁸

¹⁶ - Such a translator cannot be owned by party who also has an attributable interest in an LPFM station, whether or not, it is the primary station of the translator.

¹⁷ - A translator carrying an LPFM station would be considered an “other area” translator as defined in §74.1201(i) due to the fact that the 1 mV/m predicted contour of the translator is not entirely inside the 1 mV/m contour of the LPFM station. This is despite that translator being within close distance to the LPFM station. Remember, that translator needs to pick up a 100 watt or less FM station over the air, possibly with a high noise floor. That’s a tall order for those LPFM stations that could achieve that. This, of course, will seriously limit the siting of a LPFM translator thus bringing it even closer than the 20 mile limit and thus making it more local.

¹⁸ - See 47 C.F.R. §73.860(b).

V. HD MULTICAST SERVICES DO NOT FACE THE SAME ISSUES THAT FACE LPFM AND AM CLASS C AND D STATIONS AND INCLUDING THEM MAY BE THE NEXT FLAVOR OF FCC APPLICATION GAMESMANSHIP

9. Aztec's petition also calls for FM fill-in services to be afforded the same protections.¹⁹ These days, many (but not all) FM fill-in translators are used for the analog rebroadcast of HD multicast services. Services, which unlike AM stations, are already available to local listeners using modern HD radio equipment designed to receive the broadcasts without AM broadcast static and weak LPFM signals or the need to waste spectrum broadcasting them on a different channel. The industry's use of FM translators to provide analog versions of HD multicasts is only a reaction to the consumer electronics and broadcast industries' lack of ability to properly market and deploy as well as the lack of consumer knowledge²⁰ and acceptance of in-band digital audio broadcasting thus making the availability of receivers with HD capability limited to the new vehicle market and otherwise not available to many Americans, especially those with lower incomes.²¹ The spectrum used by these translators, which are usually carrying a national service as opposed to a local service, could be better used by LPFM stations or even translators carrying Class C or D AM stations. REC feels that translators carrying an analog simulcast of an HD sub-channel should be afforded no special protections as their ability to be heard is not hampered by emerging technology creating new interference and noise like with AM stations. If anything, emerging technology is not keeping up with the broadcasting industry-

¹⁹ - Petition at para. 3.

²⁰ - Laukkonen, Jeremy. *The Problem with HD Radio*. Lifewire. Web. (March 17, 2017). Retrieved May 1, 2017 from <https://www.lifewire.com/problem-with-hd-radio-534510> (See item #5: "Nobody Knows What HD Radio Is")

²¹ - Id. (See item #1: "Adoption Has Been Slow".)

invented demand for a digital audio broadcasting service for which, unlike their television counterpart, there has been no outcry from the general public for.²²

10. We also note that if a translator was to make a change that could cause issues for a distant full-service station, what is to stop the translator from gaming the rules by specifying a local (fill-in) FM station as their primary station to get them through the application process and then once granted and past the period for reconsideration, the primary station of the translator is then changed to a full-service non-commercial educational FM station which does not have its primary service contour around the translator? At least with the translators carrying AM stations that were modified during the 2016 “250-mile move” window as well as the new translators that will be granted in the upcoming window series, there are restrictions on the primary station of the translator that range from a 4-year commitment for the 2016 translators²³ as well as any previous Mattoon waivers²⁴ to a permanent commitment for translators granted in the 2017 window.²⁵ Unlike for FM, there is a better check-and-balance for AM stations that would prevent gamesmanship of the rules. For those reasons, REC will not support FM translators carrying full-service FM station stations as a fill-in service from being protected under this proposed rule change.

²² - Id. (See #6: “Nobody Asked For HD Radio”.)

²³ - See First R&O at 16.

²⁴ - See *John F. Garzigilia, Esq.*, Letter, 26 FCC Rcd 12685 (MB 2011).

²⁵ - See First R&O at 17.

VI. CLASS A AND B STATIONS ARE ALREADY SUSTAINABLE BUT WE CAN SUPPORT PROTECTIONS FOR SMALLER CLASS C AND D STATIONS

11. This leaves us with the AM stations. As we have previously mentioned, we do feel that Class C and D AM stations have been dealing with decades of disadvantages which have been further escalated by the increased noise floors by emerging consumer electronics and the Commission's lack of developing higher standards for unintentional radiators. With that said, we do support some additional protections to permit the growth of Class C and D stations by being able to add a companion secondary FM signal without the obstacle of being held back because one listener 60 miles away (who can usually hear the same station online or through another transmitter) is unable to hear a full-service FM station well outside that station's service contour.

12. We do not feel this way where it comes to Class A and B AM stations. Unlike Class D stations, Class A and B AM stations have nighttime protections, some spanning thousands of miles.²⁶ Class A and B stations also have substantially large daytime contours with average 2 mV/m daytime contours being 68.5 miles for Class B and 106.3 miles for Class A. Class A and B stations traditionally operate at higher powers than Class C and D stations which allows them to better overcome the noise from emerging technology. In many major markets including Los Angeles, New York, Chicago, San Francisco, Philadelphia and Boston, there is at least one Class A or B AM station in the top-10 stations. In one market, Atlanta, a Class A AM station is currently ranked number one. There is no doubt here that Class A and B AM stations are sustaining their listeners without the need for FM facilities. REC does not see the need for any kind of exception for Class A and B AM stations.

²⁶ - See 47 C.F.R. §73.21.

VII. PROTECTIONS MUST BE FOCUSED ON THE COMMUNITY OF LICENSE

13. Finally, we need to look at city-of-license and considerations to Section 307(b), which the petitioner did touch on.²⁷ For full-service stations, REC puts a huge amount of emphasis on the city of license. REC feels that a broadcast station's first obligation is to their city of license and that stations should not treat their city of license like just a place on the map to put a station. This kind of behavior over the past three decades has led to stations being moved, upgraded or otherwise repurposed to serve a major metropolitan market while placing absolutely no emphasis whatsoever on their community of license which in turn devalues Congress' will in Section 307(b). We do feel that most Class C AM stations will properly serve their community of license first with a translator because even with a 25 mile radius, there's not much room past there. A small number of Class D stations do have fairly good daytime patterns with a few going more than 100 miles in the farthest lobe but then their service is substantially degraded at night. Unlike Class C stations, Class D stations are more able to place FM translators well outside their community of license especially under the revised rules. We understand that Aztec's objective is to assure that local radio stations are protected. However, a translator that is located over 50 miles from an AM station is, in most cases, anything but local. This special exception that Aztec wants should be conditioned that the protected translator be limited to the community of license or near the transmitter. REC proposes that in order for a translator to be protected that the protected 60 dBu contour of the translator must be entirely within a 25 mile radius of the AM station. If the translator exceeds the 25 mile radius, then there must be some overlap between the translator's proposed protected contour and the boundary of the community of license. There is

²⁷ - Petition at 4-5.

no minimum coverage requirement proposed, just that any translator outside of 25 miles needs to be placed in a manner where it is intended to serve all or a portion of the community of license.

VIII. CONCLUSION

14. REC understands the situation that Aztec is going through and we have seen the trail of informal objections filed, especially after the start of the 2016 “250-mile” window of full-power stations really stretching their reach. The question at hand here is what is the public interest? Is it more in the public interest to allow Class C and D AM stations as well as community-focused LPFM stations to have the ability to improve their facility or is it more important that out of town stations maintain their handful of listeners well outside their local market? REC supports an option where the translators of Class C and D AM stations as well as the translators of LPFM stations are given some form of protection from far-distant full-service FM stations. Therefore, REC proposes to modify the Aztec petition as follows:

- Define a “*Local Service Enhancement Translator*” as one that rebroadcasts a Class C or D AM station or rebroadcasts an LPFM station and has a primary service contour that is either entirely within a 25 mile radius of the primary AM station or has a primary service contour that overlaps the boundary of the community of license, or for translators carrying LPFM stations, the translator is located within 20 miles of the primary LPFM station, and codify this definition in §74.1201.
- Modify §74.1203(a)(3) and §74.1204(f) to implement the additional protections for “local service enhancement” translators.
- Modify §74.1203(a)(3) and §74.1204(f) to include LPFM stations at the same level as Class D (secondary) noncommercial educational stations.

- Modify §74.1204(a) to make some minor non-controversial “housekeeping” changes to refer to “LP100” stations as “LPFM” and to recognize that LPFM stations that utilize a directional antenna are not limited to those operating Traveler’s Information Services.

15. REC feels that implementing these rules as modified would assure that the stations that are currently the most disadvantaged will have some additional protections in order to revitalize and become more viable. REC also feels that this counterproposal will strike a balance between the interests of Class C and D AM broadcasters who desperately need relief and the stakeholders in the LPFM community that are concerned about increased interference from new and modified FM translators, especially given the inconsistencies between how LPFM stations protect translators and how translators protect LPFM. REC hopes the Commission moves our additional proposals forward into a Notice of Proposed Rulemaking.

Respectfully submitted,

/S/
Michelle Bradley
Founder
REC Networks
11541 Riverton Wharf Rd
Mardela Springs, MD 21837
<http://recnet.com>

May 1, 2017

APPENDIX A

REC PROPOSED RULE CHANGES

A modification to §74.1201 is proposed by inserting a new paragraph (k) as follows:

§74.1201 Definitions.

* * * * *

(k) *Local Service Enhancement Translator.* For an FM translator that is specifying a Class C or Class D AM broadcast station as a primary station, an FM translator with a predicted 1 mV/m contour that is entirely within a 25 mile radius of the AM station being rebroadcast or has a predicted 1 mV/m contour that overlaps a boundary of the community of license of the AM station being rebroadcast, or for an FM translator that is specifying a LPFM broadcast station as a primary station, the FM translator is located in accordance with §73.860(b).

A modification to §74.1203 is proposed by modifying paragraph (a), subparagraph (3) as follows:

§74.1203 Interference.

(a) An authorized FM translator or booster station will not be permitted to continue to operate if it causes any actual interference to:

* * * * *

(3) The direct reception by the public of the off-the-air signals, for Local Service Enhancement Translators as defined in §74.1201(k) within the protected service contour and for all other FM translators at any location, of any authorized broadcast station including TV Channel 6 stations, Class D (secondary) noncommercial educational FM stations, LPFM stations, and previously authorized and operating FM translators and booster stations. Interference will be considered to occur whenever the reception of a regularly used signal is impaired by the signals radiated by the FM translator or booster station, regardless of the quality of such reception, the strength of the signal so used, or the channel on which the protected signal is transmitted.

A modification to §74.1204 is proposed by changing the title and modifying paragraphs (a) and (f) as follows:

§74.1204 Protection of FM broadcast, FM Translator and LPFM stations

(a) An application for an FM translator station will not be accepted for filing if the proposed operation would involve the overlap of predicted field contours with any other commercial or noncommercial FM broadcast stations, FM translators, and Class D (secondary) noncommercial educational stations; or if it would result in new or increased overlap with an LPFM station, as set forth:

* * * * *

(4) LPFM stations (protected contour 1 mV/m)

Frequency separation	Interference contour of proposed translator station	Protected contour of LPFM station
Co-channel	0.1 mV/m (40 dBu)	1 mV/m (60 dBu)
200 kHz	0.5 mV/m (54 dBu)	1 mV/m (60 dBu)

NOTE TO PARAGRAPH (A)(4):

LPFM stations, to the purposes of determining overlap pursuant to this paragraph, LPFM applications and permits that have not yet been licensed must be considered as operating with the maximum permitted facilities. All LPFM stations must be protected on the basis of a nondirectional antenna.

* * * * *

(f) An application for an FM translator station other than a Local Service Enhancement Translator as defined in §74.1201(k) will not be accepted even though the proposed operation would not involve overlap of the field strength contours with any other station, as set forth in paragraph (a) of this section, if the predicted 1 mV/m contour of the FM translator station will overlap a populated area already receiving a regularly used, off-the-air signal of any authorized co-channel, first, second or third adjacent channel broadcast station, including Class D (secondary) noncommercial FM stations as well as any authorized co-channel or first-adjacent channel LPFM station and the grant of the authorization will result in interference to the reception of such signal.

* * * * *