

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the matter of  
Review of Media Regulations

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) MB Docket 17-105  
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July 5, 2017

Comments by Jeff Sibert

The following comments in this proceeding primarily address concerns by some low powered FM and non-commercial applicants are facing in an increasingly congested spectrum market. The comments are based on several years serving as a technical consultant for low power and NCE stations, and also from experience serving on the governing boards of NCE and LPFM stations.

1. **Reduce LPFM buffer zone (73.807):** There is no prohibition in the LCRA (Local Community Radio Act) on the Commission using LP10 spacing rules. Stations should be allowed to elect to use LP10 spacing rules if the facility also complies with contour protection. In initially defining the 73.807 rules, the Commission believed it was important to allow full power stations the ability to move without impacting LPFM stations, while still making it simple for applicants to not have to use contour protection. However, it has become a hinderance as full power and translator applicants are allowed to use contour protection to some extent. LPFM stations should be allowed the flexibility that all other classes of stations have. Even though the FCC may not eliminate the spacing rules per LCRA, the LP10 spacings remain on the book and remain valid for use by LPFM stations for protection purposes should the Commission choose to use them.
2. **LPFM Spacing (73.807):** Eliminate minimum required spacing towards translators subsequently authorized and allow LPFM applicants to use contour protection to achieve protection. There is no prohibition within the LCRA to provide protection to translator stations, and the Commission should allow LPFM applicants the same flexibility that it allows to translator applicants
3. **Allow directional antennas for LPFM stations (73.816):** Since Full power and Translator stations can use directional antennas, allow LPFM stations to utilize directional antennas provided they adhere to the 15 dB front to back ration and a 2dB per ten degree maximum increment. This is necessary as LPFM stations receive encroachment from translator and full power signals
4. **Allow LPFM stations up to 250 watts.** There are already petitions to expand LPFMs to 250 watts. The Commission should act on these petitions and include them as part of this rulemaking proceeding. It is only fair that LPFM and translator stations be allowed the same power level.
5. **Eliminate the height restrictions for LPFM and translator stations (73.811 and 74.1235):** Allow LPFM and translator applicants to use whatever height they would like up to 250 watts. Many translator stations already do this as they label themselves as “fill-in” translators for AM or HD2 stations. The Commission should simply recognize that the height restrictions have

been utterly abused and either simply eliminate them for all stations (LPFM and translators) or impose restrictions on all LPFM and translator station equally. LPFM and translators should be allowed the same power and the same height if they are truly to become co-equal in status.

6. **Allow stereophonic stations to use single sideband suppressed carrier (73.322):** There are a few stations (KOJB as an example) that have received STAs to allow the use of single sideband stereo. Robert Orban published a white paper several years ago detailed how such encoding can result in significantly reduced noise without any perceived problem for the listener. The FCC should allow all stations to use this mode if they so choose.
7. **Allow the use of single frequency networks (synchronous FM) and allow the use of boosters within the 54 dBu interference contour:** The Commission should eliminate any restrictions for stations who wish to utilize same frequency translators and boosters by waiving the requirement that the signal be fed over-the-air, have overlap with the parent, or not cause interference to the parent. The technology has matured greatly in the last several years, and there are manufacturers such as Nautel and Gates Air that have products that work exceptionally well for operators. Additionally, many lower powered stations would benefit greatly by having the use of on on-channel booster just outside of their protected area. When the 54 dBu interference contour of the booster is placed within the 54 dBu contour of the parent, no interference can result to other co-channel or first adjacent channel stations. This can help improve coverage in terrain challenged locations without harming any other potential operator.
8. **Allow LPFM minor change beyond 5.6 km:** LPFM stations should be allowed to propose as a minor change any location where the 60 dBu contours of both the proposed station and the licensed station touch. This what is used in the FM translator world and makes sense for the LPFM world as well. It makes no sense to make the rules more burdensome on LPFM stations.
9. **Eliminate EAS requirements for LPFM stations:** The cost and burden associated with EAS compliance for LPFM stations is significant. The public is not going to listen to an LPFM station for severe weather alerts, terrorist threats, national emergencies, or any other reason that EAS would be used. Almost all cell phones already have EAS built-in and they are carried by almost every American. People also receive news and information from a variety of sources and generally count on full power radio and television stations to deliver more timely news. I know I personally would not be trusting a 100 watt neighborhood LPFM station to provide national emergency news, and expecting these stations to expend money on a national alert service when they should be focusing on hyperlocal issues does not make lot of sense. Additionally EAS has never been activated for a presidential emergency and may never be. The truth is, the cold war is over, and EAS has little functionality in FM broadcasting anymore, even less so for LPFM stations. Translator stations aren't required to do EAS for much the same reason. Elimination of this rule will allow LPFM stations the flexibility to participate or not participate as they see fit, and expend their time and money on issues that are more important, without sacrificing the public's ability to be informed.
10. **Eliminate TV Channel 6 protection requirement for stations operating below 92 MHz (73.525):** There no longer is any reason to have 73.525 (and it's similar rules for LPFM and translator stations) following the digital conversion since the rules still reference the old analog 47 dBu Grade B contour. Interference just doesn't happen anymore for channel six and the rules make it more difficult for NCE and LPFM stations.
11. **Eliminate IF spacing for all stations up to 250 watts and allow waiver for higher powered stations:** Translators, LPFM stations, and lower powered NCE stations should not have to worry about IF spacing requirements as the liklihood of IF interference is essentially zero. If protections may have made sense in the 1970s with old analog radios, but few radios exist today that would experience problems at such a low power level. The rule prevents stations from making changes on these frequencies and lowers spectral efficiency. For stations above 250

watts, allow the station to use the 91 dBu interfering contours or allow the station to seek the consent of other stations.

- 12. Allow negotiated interference contracts for co-channel and first adjacent channel interference:** Operators should be allowed to seek the consent of any station that is affected by interference on co-channel or first adjacent channels. This includes interference received or interference caused to/from the other station. This will be particularly useful in mountainous and terrain challenged areas where stations could be spaced much closer without any concerns.
- 13. Allow full power stations the ability to use D/U ratios for interference protection on second and third adjacent channels:** Translator stations have been allowed to use D/U ratios for years without any problem. LPFM stations have been allowed to use it since 2013 and also have not seen any significant problem. Full power stations should be able to use similar rules when the public interest will be served. This will allow translators and LPFM stations that provide significant public interest benefits to upgrade to full power (see #14)
- 14. Allow translator and LPFM stations to upgrade to full power:** Translator and LPFM stations should be able to upgrade to class A on their presently authorized channel (regardless of their being on a reserved or non-reserved channel) if they produce at least eight hours of locally produced programming per day and maintain a main studio presence. This will provide added public interest benefit and protect many of these stations from being to cease programming because full power station encroachment. All ownership regulations applicable to full power stations would be in effect. This would require waiving second and third adjacent channel restrictions in most cases (see #13).
- 15. Eliminate full power domestic allocations and go to contour protection only (73.215 and 73.207).** The allocation scheme wastes spectrum, particularly for class A stations that operate below 6kW/100m HAAT and Class C1, C0, and C stations that do not operate at their full class heights. A large number of stations are protected well beyond their 60 dBu contour. Contour protection as outlined in 73.215 should be used instead of 73.207 to encourage a larger number of full power stations to be allocated on the dial and encourage those who operate below maximum power/heights to do so. At various times the Commission has authorized additional classes of stations and downgraded those who were below the new minimums (80-90, class C0, etc). This would simply be another extension of that. Classes of stations would remain for international purposes only.

Respectfully submitted,

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