Date: July 11, 2017
TO: Chairman, Federal Communications Commission
FR: James P. Wagner
RE: Comments Timely Filed via the Federal Register Website
MB Docket No. 17-106
Elimination of the Main Studio Rule

The attached comments regarding MB Docket No. 17-106 were originally timely filed via the Federal Register Website on the evening of July 3, 2017, as evidenced by the attached copy of the dated confirmation received from that site. To date these comments have not appeared at the FCC website.

This communication along with the above mentioned confirmation and the filed comments are being filed today via a pdf file in case the original comments are "lost" and will never arrive at the FCC site. This is being filed beyond the closing date of July 3, 2017. As such it is hereby requested that these comments be accepted and included in the proceeding.

Thank you.

James P. Wagner
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Alexandria, KY 41001

Encl: 1. July 3, 2017, Federal Register confirmation of submission.
2. Original Submission of Comments of July 3, 2017

LEGAL STATUS

Melissa

LEGAL STATUS

Elimination of Main Studio Rule

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A Proposed Rule by the Federal Communications Commission on 06/02/2017

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DOCUMENT DETAILS

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Comments are due on or before July 3, 2017; reply comments are due on or before July 17, 2017.

Comments Close:
07/03/2017

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Proposed Rule

Document Citation:

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of:	)	
	)	
Elimination of the Main Studio Rule	)	MB Docket No. 17-106
	)	
	)	

COMMENTS ON NOTICE OF PROPOSED RULEMAKING:
(Filed through Federal Register Website)

These comments are being filed by myself, James P. Wagner, as an individual who has been employed for over 47 years in the radio broadcast industry. This employment has often been my sole means of support which should serve as evidence of the importance of the industry to me. During that period I have been employed in practically every capacity in radio broadcast, including management, at the station and corporate level, in small, medium, and large markets across the country. I possess a strong technical background, have an MBA with concentrations in Finance and Marketing from Xavier University in Cincinnati (1984) and a BS degree in Accounting and Economics with a minor in Communications from Georgetown College, KY, (1973) where I subsequently taught Communications in 1992 as an adjunct professor, part time and oversaw the schools non commercial station. I have a lifetime, General Radiotelephone Operator License issued by the FCC (originally issued as a First Class Radiotelephone Operators License for which I passed the written test in Detroit, and subsequently issued in 1971.) While I started as a "disc-jockey" and announcer I was also successful with sales and production. I successfully

managed a large market radio station as well as one in a smaller market. But throughout this period I would consider my primary interest and role to be that of a "broadcast technician". I specifically enjoy working with radio broadcast RF transmission systems and have done "hands on" maintenance of such installations for stations such as WLW in Cincinnati, KOA in Denver, WTAM in Cleveland, WGST in Atlanta, to name just a few. I was Vice President of Engineering and Technical Operations for Jacor Communications in the mid 1980's and was also responsible for most of the company's capital expenditures nationally. Since 1991 I work for myself in a number of capacities in the radio broadcast industry. Based on my experiences and education listed above, I feel that I can give an interesting perspective on the proposed Rulemaking with the following comments:

1. The Main Studio is No Longer Required:

Think back to 1934. There was nothing but the print media and Radio for the masses to communicate in other than a "one on one" basis. Now we have almost countless forms of mass communications which are not necessary to enumerate here. As such the idea of having an office staffed during normal office hours by two people to accommodate unannounced "walk in" traffic without an appointment to view the "public files" is an anachronism and needs to be deleted. I have talked with many of my friends at many small stations and none of them could ever remember anyone even asking to see the "Public File". Most listeners do not care.

2. There Are Security Reasons to Eliminate the Main Studio Access:

These days office security is important for any entity including insurance offices, retail outlets, government offices, hospitals, etc. But these can be selective about whether the doors are locked and who is allowed into the facility. But radio and TV stations are required to let anyone in off the street to look at the "public file", unhindered? It seems like this could be a security problem, especially to smaller stations who cannot afford security people. Does the FCC allow this type of foot traffic into its offices without any security? Furthermore the database industry seems inclined to list station street addresses and locations in many databases. Is this a good idea considering security purposes? It is interesting that the FCC lists in a public database every broadcast tower in the United States by coordinates. Is this a good idea from a security perspective? Maybe this type of data should be password protected and we should all have to identify ourselves to obtain a password. Does Russia provide a list of all the tower coordinates for that country that we can all peruse?

3. The Expense Burden:

There are obvious expenses associated with the staff to maintain an office which may be better used to pay for people in the field "selling" broadcast time. While it may not be apparent to many outside of the business, those of us inside understand that the real diplomats for the stations are the sales people. They go out into the community, talk with people, and, in the process discover concerns.

They echo those concerns back to the management. Not the case when employees are "stuck" inside the studios waiting for someone to come in the door. Thus more resources can be given to generate revenue with the added advantage of having more people in the "field" listening and conveying back to management the conditions in the community. This serves both the business operations as well as the community. I have noted several troubling articles in 2017 regarding some large broadcast companies and unfavorable expectations for their futures. It would not be fair to mention those here. Also those situations may have changed or the articles may not have been accurate. (I could locate these articles for you if necessary.) I think these larger station operations could benefit from this proposed change. I do know of some smaller stations that have not had the financial success they have had in previous years. While I would perceive broadcast revenues to be mostly a "lagging indicator" in small markets and the economy seems to be getting better in the Midwest, I feel that this burden elimination would be a major advantage for at least the small and medium market operations since the cost of two extra people and the additional facility and utilization is significant and would benefit the larger "chains" as well.

4. Community Issues:

The Commission is concerned about "community issues" as are the communities as well as broadcast stations. This becomes a larger issue that is really not related to whether on not a station maintains a staffed, main studio. What is important has

been the change in society and communications since those rules were adopted. Across the country communications has become immediate through social media and, as a result, most local issues have become national issues and visa-versa, as local and national have melded together. I think this becomes a separate issue that the Commission should study. For example the community issues around this area are Heroine, lack of employment, influx of *illegal* immigrants, high taxes, poor economy, and high crime. I bet they are the same in your community. So how do we approach these locally if these are actually national problems? So, while there may be local problems that need to be addressed, they are currently "dwarfed" by the national problems. I think the industry can help address national problems as well as local problems but the "system" of addressing and prioritizing them needs to be reviewed.

5. The Local Phone and Station Communications:

I do not think it is necessary for a station to supply a "toll free" telephone number for people from the stations "City of License" to call the station or to maintain a local telephone number within the city of license . With the advent and proliferation of "cell phones" and the associated "free" long distance service and the low costs of long distance for wired lines, it is not necessary, especially if it was a meaningful call from a concerned listener (who probably is willing to ignore the costs for the information that is being conveyed or to be derived). But when they call they will probably get voice mail or a recording just like many other

businesses and government agencies. Then the radio station can call return the call. The problem is most calls that are not "business" calls are usually people wanting to hear certain songs or programs or get information about ball games, etc; or people who are lonely and want to talk with someone; or drunks. And the Commission may think that all calls are polite and are expressing "goodwill"! This is not the case.

I think the best way for people to communicate their concerns (what ever they may be) is a letter and sent via the US Postal Service, First Class Mail. It is a reliable method and one easier for the station to send a response and then put into the public file. It requires thought from the sender instead of a tirade. "Death threats" and similar can be turned over to the Postal authorities. Obviously the broadcast operation will have to have a domestic telephone number somewhere within the country. It just will not be local. It should not be required.

6. Local Emergency Contact Concerns:

Concerns regarding contact with the local station with local emergencies has now been addressed with the incorporation and utilization of the CAPS system whereby the station emergency equipment automatically polls via the internet and (what I have been led to believe is DHS) retrieves applicable information that is rebroadcast on radio and TV stations as part of the EAS system. Therefore, with the advent of this system and incorporation with calls to "911" it is my understanding that local emergencies will be communicated via the CAPS system

via DHS or local state relay stations. The NWS is also a great source for weather related issues. As such, trying to contact a broadcast station directly is probably not the most effective way to resolve an emergency. Call "911" and let the system work. It is not seen here that eliminating the main studio rule would hinder a station's ability to communicate time-sensitive or emergency information to the public. The CAPS system is an improvement.

7. Local Service Issues:

Regarding concerns that eliminating the main studio rule would somehow cause a station to no longer serve their local communities is unfounded. The individual stations are still tethered to their City of License because of the requirement to provide "City Grade" coverage which remains unchanged. The station, being of a commercial nature, must exist by selling advertising to customers that receive benefit through a large listening audience. It would be counter productive for the station to ignore the listening audience within its primary signal area and thus loose the benefit which it is selling to the advertiser. Thus it is counter productive for the station to ignore the needs of the community of license as well as other listeners within the primary signal area since that is the "product" that the station is actually selling to the advertiser. Thus the station only seeks to enhance its ties to the community of license as well as the primary service area. The idea that the broadcaster only serves the area because it is required to serve it by the FCC is not correct. The commercial broadcaster serves the community because of the

broadcaster's financial interest in selling advertising which he constantly strives to enhance.

8. Public file:

Without a main studio the public file could be located at a nearby public library until the file was located "on line". This may make it even more accessible than it being at the main studio. It may also be more accessible than it being "on line". I would think that it should be located within the city grade contour.

9. Commissioner Clyburn:

I respect the Commissioner and his comments but I do not agree with him on all the issues he raised. "Localism" is important but I do not feel that somehow the main studio location fosters localism. Indeed the main studio accessibility may be counter productive, especially to Radio. Radio creates a vision in the mind of what is happening on air. This "mystique" is important to the process which is destroyed when the listeners may finally see the station operations. Typical Radio station operations are not very impressive (neither are most TV studios) and not much to look at. Most initial viewers leave with disappointment. "Where are the glass windows with people running up and down the halls with headsets cuing each other and big clocks and the orchestra"? They're stuck in the 1930's film noir and in your imagination. But that is what we Radio people don't want to destroy: the wonderful imagination that radio fosters within the individual. An old radio mentor of mine said almost 50 years ago, "Kids should be seen and not heard; Radio

stations should be heard and not seen!" I agree with at least the last part. I think the good Commissioner's other concerns are addressed herein.

10: Local Programming:

The question I have is what is the purpose of "local" programming requirements? Is programming that is produced "locally", no matter how it relates to the community, better than programming produced from elsewhere, that is better programming, and that better addresses local issues? Thus programming from elsewhere may be more relevant and more interesting to the local community. Thus it is actually "more local"? Obviously it would be better to have programming produced locally that is relevant and interesting to the local community. But sometimes the facility and talent and topics are not available to compete with better programming produced nationally. I don't have an answer for this. It is thought provoking.

11. SUMMARY: In conclusion I applaud the Commission's decision to eliminate the Main Studio Rule. I also do not think a local phone number is necessary. I think "simple" is a better solution to everything.

Thank you for the opportunity to make these comments to you.

Yours very truly,

James P. Wagner, PO Box 201, Alexandria, KY 41001

July 3, 2017