

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

In the Matter of	)	
Amendment of Part 74 of the Commission's Rules	)	MB Docket No. 18-119
Regarding FM Translator Interference	)	FCC 19-40

**STATEMENT IN SUPPORT OF  
LPFM COALITION PETITION FOR RECONSIDERATION**

1. Media Alliance hereby submits a statement in support (“Statement”) of the Petition for Reconsideration (“Petition”) filed by the LPFM Coalition (“LPFM Coalition”), regarding the Commission’s rule making (“Rulemaking”) amending Part 74 of the Commission’s Rules Regarding FM Translator Interference, as released on May 9, 2019 in FCC 19-40, and published in the Federal Register on June 14, 2019.<sup>1</sup>

2. This statement is timely filed pursuant to the Public Notice published in the Federal Register, at 84 FR 37228 (2019).<sup>2</sup>

3. Media Alliance is a non-profit organization that dedicates itself to fostering a genuine diversity of media voices and perspectives, holding the media accountable for their impact on society and protecting freedom of speech. Media Alliance is a leader in building coalitions for press freedom and media access, accountability and alternatives.

4. Media Alliance (MA) is dedicated to enfranchising media consumers and producers whenever possible. The Rulemaking the LPFM Coalition petitioned specifically *disenfranchises* radio listeners who experience radio interference *but happen* to live in the same

---

<sup>1</sup> 84 FR 277374 (2019).

<sup>2</sup> The Public Notice requires filing “on or before August 15, 2019”.

building as a listener who filed a complaint first. Media Alliance agrees with LPFM Coalition that this disenfranchisement violates citizen rights to petition a government agency for redress. Furthermore, Media Alliance feels that any “roadblocks” that limit a robust redress process must at least be adequately justified within the Rulemaking record itself. Media Alliance agrees with the LPFM Coalition that the Rulemaking record is glaringly absent any justification for such “roadblocks.” We agree that the aptly named “*one building, one complaint*” rule should be reconsidered.

5. Media Alliance also agrees with LPFM Coalition that this Rulemaking violates provisions in the Local Community Radio Act of 2010 (“LCRA”) that require equal status between LPFM stations and FM Translators. As the LPFM Coalition notes, the Rulemaking itself states that it is designed to provide improvements important to *full-service stations and FM translator operators*, but not LPFM operators. Designing a Rulemaking explicitly to improve one service, but not an *explicitly stated* co-equal service, neglects a key tenet of the LCRA.

6. Media Alliance also believes the Rulemaking forces stations who have already pleaded their cases to the FCC to re-litigate their interference claims. As the LPFM Coalition notes, this specifically violates the Administrative Procedures Act, which requires Rulemaking have only “*future effect designed to implement, interpret or prescribe law or policy*”. Media Alliance feels that LPFM stations who have already submitted extensive proofs of interference that were subject to the rules existing at the time of submission, should not be required to submit new legal and engineering exhibits based on new rules, subsequently adopted. If the FCC were to continue to not rule on a pleading, while continually changing the rules under which that

pleading was made, how many times must a station or listener resubmit their pleading?

Clearly this is an untenable position for licensed operators and listeners alike.

7. Lastly, Media Alliance believes “*the FCC should issue a notice of further rulemaking to effectuate remedial work on the issues identified*” as the best course of remediation, one of the suggested courses of action by the LPFM Coalition Petition for Reconsideration.

Respectfully Submitted,

*Tracy Rosenberg*

**Tracy Rosenberg, Executive Director**  
***Media Alliance***

**Media Alliance**  
**2830 20th Street, Suite 102**  
**San Francisco, CA 94110**  
**(415) 746-9475**  
**[www.media-alliance.org](http://www.media-alliance.org)**

**August 15, 2019**