

KIOF 97.9 FM EAS Required Weekly Test on Satu...

Subject: KIOF 97.9 FM EAS Required Weekly Test on Saturday, August 17, 2019

From: "Gregory P. LaPorta" <greg@lvpr.org>

Date: 8/18/19, 11:21 AM

To: Ajit.Pai@fcc.gov

CC: Jessica.Rosenworcel@fcc.gov, geoffrey.starks@fcc.gov, hmollick@cpb.org, Andy LaPorta <andy@lvpr.org>

To: The Honorable Ajit Pai, FCC Chairman

Cc: Jessica Rosenworcel, FCC Commissioner

Cc: Geoffrey Starks, FCC Commissioner

Cc: Helen Mollick, Corporation for Public Broadcasting, Office Of Inspector General

Cc: Andrew LaPorta, Las Vegas Public Radio Inc. Vice President

Chairman Pai,

I would like to share an experience that I witnessed first hand with an KIOF 97.9 FM EAS Required Weekly Test on Saturday, August 17, 2019 which relates to the July 30, 2019 - Notice of Proposed Rulemaking on Improving Low Power FM Radio Service (MB Docket No. 19-193/MB Docket No. 17-105) at <https://docs.fcc.gov/public/attachments/FCC-19-74A1.pdf> or the attached PDF in these areas:

On Page 2 - Item #2 continued at the top paragraph... To ensure that LPFM stations provide adequate protection to other LPFM, FM, and FM translator stations under the distance separation method, the Commission built 20 kilometer buffer zones into the separation tables in section 73.807.

On Page 11 - Item #22, discussion was made regarding few commenters submitted suggestions for Commission... emergency alert service (EAS) requirements for LPFM stations.

On Page 12 - Item #22 continues at the top paragraph ... Jim Knybel, while supporting EAS participation if LPFM stations can increase power, argues that currently "[a]n emergency alert system on an unlistenable channel serves no purpose."

On Page 20 - Item #6, discussion was made regarding the Small Business Administration (SBA) ...LPFM stations are classified as radio broadcast stations. Business concerns included in this industry are those primarily engaged in broadcasting aural programs by radio to the public. The SBA defines a radio broadcast station as a small business if such station has no more than \$38.5 million in annual receipts.

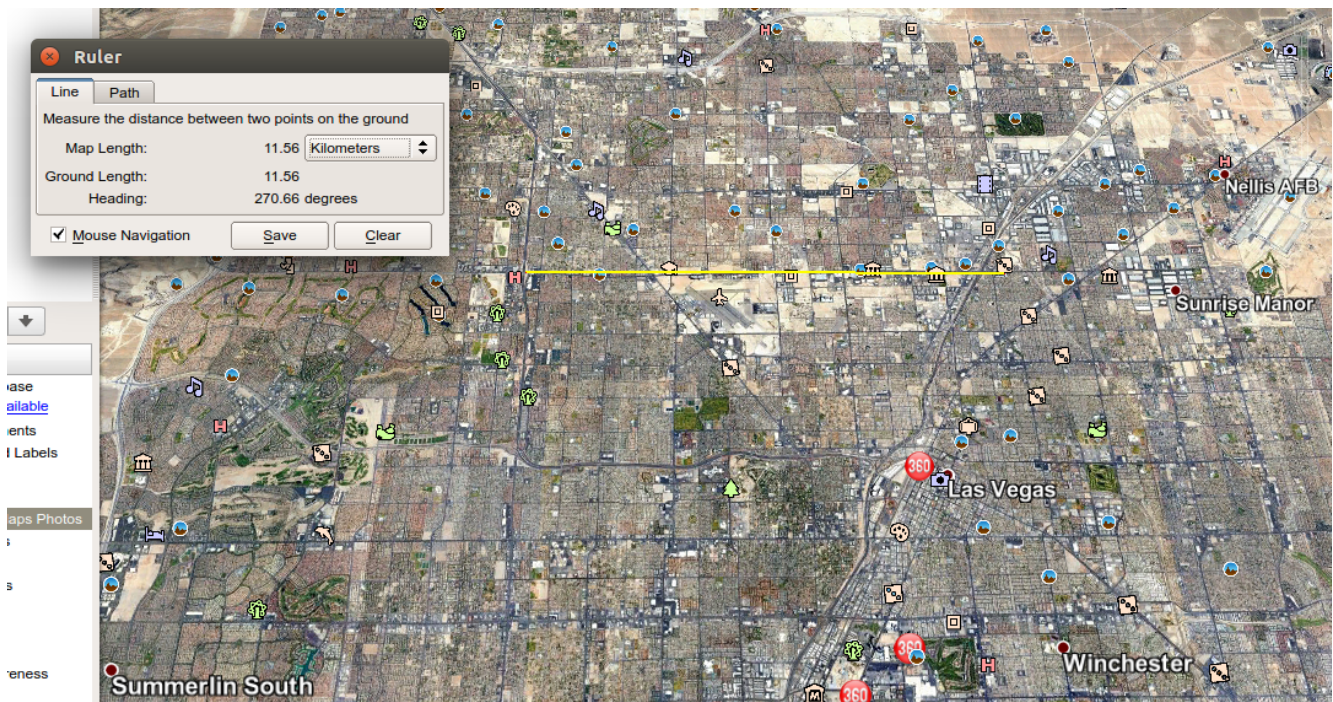
On Page 20 and continued onto page 21 first paragraph - Item #7, discussion was made regarding the Small Business Administration (SBA) ...The same SBA definition of \$38.5 million in annual receipts applies to NCE FM stations. Radio stations that the Commission would consider commercial, as well as those it would consider NCE stations, are included in this industry.

On Page 21 - Item #8, discussion was made regarding ...An additional element of the definition of "small business" is that the entity not be dominant in its field of operation. We are unable at this time to define or quantify the criteria that would establish whether a specific radio station is dominant in its field of operation. Accordingly, the estimate of small businesses to which the proposed rules may apply does not exclude any radio station from the definition of a small business on this basis and therefore may be over-inclusive to that extent. Also, as noted, an additional element of the definition of "small business" is that the entity must be independently owned and operated. We note that it is difficult at times to assess these criteria in the context of media entities, and our estimates of small businesses to which they apply may be over-inclusive to this extent.

During the KIOF 97.9 FM EAS Required Weekly Test on Saturday, August 17, 2019, I was driving on Interstate 95 heading to an early dinner in our city of licensee which is Las Vegas, Nevada. At 4:57 PM (1657 hours), the KIOF 97.9 FM random EAS Required Weekly Test was triggered/sent and aired but I could barely hear it on my FM radio in the car with all the interference as I was driving up the interstate due to such low power KIOF 97.9 FM puts out.

The KIOF 97.9 FM EAS Required Weekly Test was actually heard as mostly all garble on top of interference from a station that bleeds in to the KIOF 97.9 FM signal that's 100 miles away in Needles, California. So, as a listener myself that was listening in our community of license which is Las Vegas, Nevada, I could not hear the critical EAS emergency information but some garbled EAS emergency information on top of a commercial radio station that's heard in various areas of my community on the same channel.

From the KIOF 97.9 FM tower site to the position I was driving to dinner on Interstate 95, I was only 11.56 kilometers away (see this map):



Jim Kynbel's comment is very accurate with the increase power statement needed so LPFM stations can overcome interference issues and a LPFM signal is clear everywhere within all of the 20km buffer zone, especially in their city of license.

Also, on observations made by the Small Business Administration (SBA), this is a very critical issue since all FM broadcast radio stations share the EAS system to each independently serve their communities. Why should one FM broadcast radio station have the competitive edge to be heard clearly in their city of license but another FM broadcast radio station cannot be heard clearly in the same city of license? This promotes anti-competitive business markets throughout the United States and thus disallows all FM broadcast stations in the same marketplace to compete with an opportunity to grow to the \$38.5 Million in annual receipts. All of this is occurring because we have dominate players controlling the Corporation for Public Broadcasting with annual rubber-stamping and forgoing what the Small Business Administration (SBA) has stated.

I submit this comment directly to you outside of normal corrupt FCC's commenting system so you see and hear this directly from an LPFM station on what is exactly needed for Improving Low Power FM Radio Service so Low Power FM Radio licensees in their communities around the United States can provide the same "world class" FM service to thrive towards \$38.5 Million in annual receipts instead of sub par FM service over these past 20 years that is only hurt many communities across our great nation with innovation and growth.

With the Most Respect and Honor, Sir.

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—Attachments:—

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