

SEP 27 1993

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )  
)  
Amendment of Part 87 of the )  
Commission's Rules to Implement )  
Technical Requirements )  
Applicable to Instrument )  
Landing System Receivers and )  
VHF Omnidirectional Radio Receivers )  
Adopted by the International )  
Civil Aviation Organization )

PR Docket No. 93-199  
RM-7610

COMMENTS OF NATIONAL PUBLIC RADIO

National Public Radio (NPR) offers the following Comments in support of the Notice of Proposed Rulemaking (NPRM) in the above-identified docket. NPR is a nonprofit, noncommercial organization which provides programming and interconnection services to 478 public radio stations and which represents them in developing and maintaining a viable and diverse public radio service for the American public.

With this NPRM, the Commission proposes to implement new technical specifications contained in the Convention on International Civil Aviation (Convention) for Instrument Landing System (ILS) and VHF Omnidirectional Radio (VOR) receivers on board U.S. aircraft. These technical standards are intended to improve the immunity of aircraft ILS and VOR receivers to interference from VHF FM broadcast signals. Compatibility between the FM broadcast service and the aeronautical mobile service has been a concern for many years, due

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to the proximity of the frequency bands used by the two services and the fact that FM broadcast transmitters are generally much more powerful than ILS and VOR operations.<sup>1</sup>

In 1991, NPR filed Comments in support of a Petition for Rulemaking filed by John F. Furr and Associates which asked the Commission to study and adopt appropriate technical standards for "avionics" (i.e. ILS and VOR receivers). In those Comments, NPR said that a careful analysis of radio broadcast and aeronautical receiver operations would show that substandard aviation receiver performance is the primary source of documented interference problems. We urged the Commission, upon such a finding, to follow sound spectrum management principles requiring that the industry whose equipment is responsible for causing interference bear the responsibility for corrective action. We also pointed out that under section 303 (f) of the Communications Act, the Commission has the authority to regulate aviation equipment which operates on assigned radio frequencies to prevent interference between stations. Moreover, under section 303 (r), the Commission has the authority to adopt rules and regulations necessary to carry out the provisions of international treaties or conventions relating to the use of radio.<sup>2</sup>

With this proposal to adopt the International Civil Aeronautics Organization's (ICAO) standards for aviation receivers, the Commission is resolving this matter in what we believe is an appropriate manner. NPR appreciates this move by the Commission, particularly because the Federal Aviation Administration (FAA), which in 1990 proposed several new

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<sup>1</sup> VHF FM broadcasting occupies the 88-108 MHz portion of the band, while the aeronautical mobile service occupies 108-137 MHz.

<sup>2</sup> See NPR Comments in RM-7610, page 2-3.

rules relating to electromagnetic interference issues that would be burdensome to radio station operations, still has not acted on its proposed rules.<sup>3</sup>

NPR notes that public radio stations in particular will benefit from the implementation of the ICAO standards, because most stations operate at frequencies unlikely to create interference problems.<sup>4</sup> These stations will be relieved of some of the largely unnecessary burdens that have been imposed on all FM stations in the absence of technical standards to prevent interference with aviation receivers. Unfortunately, as noted above, FM broadcasters must still contend with the FAA's existing and proposed regulations, some of which NPR believes are overly broad or misdirected.<sup>5</sup> While NPR supports appropriate corrective measures aimed at improved air safety, it is important that the proper industry be held responsible for preventing interference.

## CONCLUSION

NPR supports the Commission's expeditious implementation of the ICAO technical standards as proposed in the NPRM. This action will improve air safety, and at the same time should help FM broadcast stations by removing an unnecessary burden on their operations.

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<sup>3</sup> See FAA Docket No. 26305, Notice 90-18, August 3, 1990.

<sup>4</sup> The majority of public radio stations operate on the NCE-FM reserved frequencies at the low end of the band (88-91.9 MHz). There is no evidence suggesting an interference relationship between this band and air navigation equipment. See *NPR Comments in Support of Petition for Rulemaking in Docket RM-7610, at page 3.*

<sup>5</sup> See NPR's Comments in FAA Docket No. 26305, Notice 90-18.

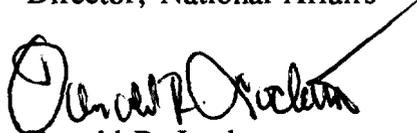
Respectfully submitted,

  
Theodore A. Miles  
General Counsel

  
Karen Christensen  
Assistant General Counsel

  
Mary Lou Joseph  
Director, National Affairs

  
Mary Beth Schwartz  
National Affairs Associate

  
Donald R. Lockett  
Vice President, Audio  
Engineering

  
Michael Starling  
Director, Technical Operations

National Public Radio  
2025 M Street N.W.  
Washington, D.C. 20036  
202-822-2040

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