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FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

AUG 31 1995

In the Matter of

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OFFICE OF SECRETARY

Establishment of Rules and Policies)	IB Docket No. <u>95-91</u>
for the Digital Audio Radio Satellite)	GEN Docket No. 90-357
Service 2310-2360 MHz Frequency Band)	RM No. 8610

COMMENTS OF KJAZ SATELLITE RADIO

KJAZ is a Non-Profit California Mutual Benefit Corporation dedicated to the furtherance and education of mainstream jazz music. Mainstream jazz is the music of Miles Davis, John Coltrane, Charley Mingus, Dave Brubeck, Jelly-Roll Morton, Charley Parker, and a multitude of others as compared with New Age or elevator jazz, which has become a populist format in almost every radio market in the country.

The mainstream jazz aficionado constitutes approximately 3-5% of the radio audience and is the highest demographic of any musical format including classical. They have the highest incomes, the most education, and are passionate about their love of the music.

Of the approximately 8,000 to 9,000 commercial radio licenses in the U.S. today, less than 40 stations program mainstream jazz. The audience is simply not large enough to support the returns necessary for the cost of a commercial license in today's marketplace. In almost all of the major markets across the country, the only place that a jazz aficionado can get access to the music are through Public Radio stations. There are approximately 300 public radio stations that program some kind of mainstream jazz; this number is shrinking, and the quality of programing is diminishing as a direct result of impending cutbacks for Public Radio.

KJAZ Radio broadcast over 92.7 FM from a San Francisco transmitter for 35 years. It was the first 24-hour-a-day commercial mainstream jazz station in the country. To my knowledge, when it went off the air in July of 1994, it was the last remaining 24-hour-a-day mainstream jazz station in the country. In an effort to keep the spirit of KJAZ alive, we formed a new Non-Profit Mutual Benefit Corporation and began broadcasting off the SATECOM I Satellite to cable systems across the country. Since radio is a numbers game, our thought was that if we could reach jazz lovers from all over the country, we could accumulate sufficient numbers to attract sponsors and advertisers to support our efforts. After nine months

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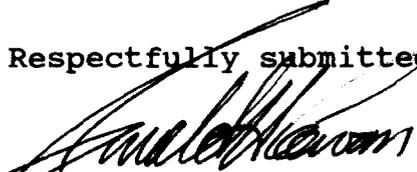
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of broadcasting off SATECOM I, KJAZ Satellite Radio went off the air August 14, 1995. The principal reason that our effort was unsuccessful was the inability of listeners to receive KJAZ in their cars.

Satellite delivered digital radio that can be received in the cars would make possible KJAZ-type programming that is just simply not available in today's current marketplace. If we at KJAZ have this experience, I am certain that there must be many other niche formats that are also under-served and are only economically feasible when "bundled" with listeners on a national basis.

It is for these reasons that we are urging you to license Satellite Digital Audio Radio Services immediately.

Respectfully submitted,



Ronald H. Cowan
President
KJAZ Satellite Radio
(510) 769-5101
August 23, 1995