Informal Comment
RM-9208

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Secretary
Federal Communications Commission
Washington DC 20554

These reply comments will address

1.) merits of the subject of the rulemaking
2) competition for advertising and underwriting revenue with existing broadcasters
3) use of spectrum currently protected by Commission rules

I am in favor of the general type of service proposed by the rulemaking petition, in particular, the community-based nature of the service and prohibitions against ownership of more than five stations.

I thought about whether microbroadcasters should be required to be licensed only to nonprofit ~~associations~~ organizations with governing boards broadly representative of their communities. Since the petition calls for random selection of licensees, and qualifying licensees would impose an intensity of regulation out of scale with the proposal, I am satisfied that licensees nationwide will collectively provide diverse types of programming.

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I would limit the number of stations owned to one

in this service. It is not the intent here to amplify any one voice with more than one watt of power; most certainly "chains" or common carriage of programming would result from ~~even~~ ~~5~~ allowing even 5 stations under common ownership.

I would add one important feature to the proposed service: it should not compete with existing broadcasters for commercial advertising or noncommercial underwriting revenue. It should not imitate the mass broadcasting model. Therefore I would prohibit the broadcasting of any type of commercial, underwriting announcement or program in exchange for money, goods or services (with the exception of programs produced by persons who volunteer their services to the microbroadcaster in exchange for "their" airtime)

Other than those regulations which inherently limit the scope of the service: the power limit, the prohibition of multiple station ownership and the prohibition of competition with commercial broadcasting, I think the service should be completely free from programming and legal requirements and subject to ~~only~~ a small number of technical

standards. (The broadcasters may be willing to set up a lab to type accept home made transmitters to insure a lack of interference) (Further the inclusion of microbroadcasting in the regulated sphere is a healthy way to deal with the reality that microbroadcasting is certain to spread and make it easier to shut down "pirates" who refuse to subject themselves to regulation.)

For FM broadcasting applications should be accepted that specify a transmitter location an acceptable distance from any licensed co, 1st adjacent, 2nd adjacent or 3rd adjacent channel station. This should be specified in miles for each class of station protected. Applications should be accepted on any frequency where distance standards can be maintained. For FM Two regions of the country should be proposed - flat and not flat - ~~and~~ with the only difference being that protection from other microbroadcasters should be twice the distance in "not flat" areas.

With one watt of TPO it should be the rare station that is able to pose a serious interference threat -- I would not generally require an engineering study unless ~~an~~ staff felt the proposed antenna and height would result in a tenfold power gain. I think groups sophisticated enough to find a high gain antenna and a 500 ft high transmitter site can find the engineering help necessary to show that all other stations are being protected by way of contour prediction.

AM daytime service would seem to be simple enough but skywave reception of distant stations may be a more important feature to protect than the added benefit of any proposed system of AM microbroadcasting. I just don't know if there is any interest in it or not.

As for the balanced budget ~~the~~ requirements: go ahead and auction these frequencies.

The only other proposal I would

recommend is that programming on stations within 50 miles may not be rebroadcast nor programs carried from a satellite source in order to make this a "local" service.

Respectfully submitted

Frederic J. Phaneuf