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

In the Matter of	)	
Microstation Radio Broadcast Service	)	RM No. 9208, 9242, 9246
Petition for Rulemaking	)	

REPLY COMMENTS

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Introduction.

The Committee on Democratic Communications of the National Lawyers Guild submits the following reply comments on behalf of both itself and the 80 organizations and individuals noted at the conclusion.

First, we note that, as far as we can tell, full-power broadcasters are the only ones who submitted comments in this proceeding in opposition to microradio. Their comments are obviously self-serving and seek solely to maintain the exclusivity of their government protected monopoly on public property. In fact we are pleasantly surprised by the number of licensed broadcasters who have filed comments supporting microradio, clearly demonstrating that even among licensed broadcasters there is a significant divergence of opinion.

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We also note that the comments supporting microradio represent both geographic and social diversity. They not only come from throughout the U.S., but from a broad range of social viewpoints: city councils, school districts, high schools, emergency response planners, broadcast engineers, churches, and, of course, a wide range of citizens who are simply frustrated with the increasingly cramped offerings of current radio service.

We will respond to a number of the significant issues raised by those in opposition to microradio.

I. Interference

The opposition raises the specter of interference. However, a number of independent commenters who have experience in broadcast engineering state that large numbers of microstations could be placed on the air without causing interference. There are and have been, in fact, for the last few years many unlicensed microstations operating throughout the United States which have caused no interference. We do not support any broadcasting (whether micro- or full-power) that causes interference to licensed full-power stations, translators, aviation, or other users of the spectrum. We are convinced that hundreds, if not thousands, of microstations could operate without any interference at all-- convinced because many of them are already operating and many others were until shut down by recent FCC action.

II. Digital Radio

The opposition believes that microbroadcasting will impede the advent of digital radio in the U.S. The FCC has not yet decided exactly how it will go about implementing digital radio. We believe that the IBOC system, which is mentioned prominently by the opposition, would be a serious mistake. Nearly the entire industrialized world, including Europe, Australia, and our neighbor, Canada are moving all of their broadcast radio to the L Band and implementing the Eureka 147 system. The L Band offers far superior engineering advantages over the current radio spectrum. If the United States opts for the IBOC plan, we will forever be stuck with a system that is not only inferior in quality, but incompatible with the rest of the world. We find it particularly ironic that the opposition, who repeatedly cite their concern over maintaining high engineering standards in radio, would support the inferior technical option for implementing digital radio. We assume this is simply because it is in their short-term financial interest to do so, thereby dooming the US to an inferior, incompatible service for the foreseeable future.

Even if the U.S. should implement the IBOC system, it is not clear that microradio would cause significant interference. While there may be some situations in which microstations would have to reduce their power to prevent interference with IBOC signals, we believe that IBOC and microbroadcasting could comfortably co-exist.[1]

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[1] We also note the reply comments in this proceeding of Curt R. Dunnam who cites evidence that IBOC will not be adversely effected by microradio.

However, we wish to point out that digital radio utilizes less spectrum than analog radio and is much less vulnerable to interference. Therefore we request that the FCC plan now for giving microradio a full share of the spectrum once digital radio is fully implemented and analog radio is discontinued. At that point, there can certainly be no excuse for not turning over a significant portion of the digital radio spectrum to locally owned and locally programmed microradio stations. In fact, we hereby request that the FCC set aside a significant portion of the digital spectrum, on the order of 20%, for community based micropower broadcast stations.

III. Non-Commercial Microradio Will Not Lead to Many of the Problems Cited by the Opposition

Many of the potential problems cited by the opposition would only arise if microradio is allowed to be commercial. We initially called for totally non-commercial microradio and we stand by that position. Many issues will automatically become moot if the service is exclusively non-commercial. In particular, any requirement in the 1997 Budget Act that frequencies be auctioned to the highest bidder would be inapplicable.

A. Economic Fragmentation

Many of the opposition comments cite the danger of economic fragmentation caused by microradio. In particular they state that small, independent stations, especially those in small and medium markets, will suffer if microradio is allowed. They note that if our concern is with preserving local ownership and local service, licensing microradio will be counterproductive. We are sympathetic to the concerns expressed by a number of small, independent station owners concerning their economic viability.

However, if the new microstations are completely non-commercial (which to us means prohibiting the type of "underwriting" that public radio uses) then there will be no competition at all for advertising dollars, and the threat of economic fragmentation disappears. If "competition" from non-commercial microstations leads to loss of audience for commercial broadcasters it will be because, as the microradio movement has been asserting, commercial radio is not meeting the needs of communities and audiences. The commercial system must not be protected by the FCC from the consequences of their failure to meet audience needs.

B. Licensing, Transferability, and other Administrative Burdens

Once again, if the profit motive is eliminated, then only those who sincerely wish to communicate for the sake of ideas and culture will be interested in microradio. There will not be a flood of license applications with expensive legal representation, transferability will be less of an issue, and other administrative issues will, in general, be greatly reduced.

As pointed out by the Zillah School District (Washington State), if microstations are non-commercial, then licensing can be done without high-bidder auctions (under the 1997

Budget Act). High-bidder auctions are likely to ruin the very concept of microbroadcasting by inevitably leading to bottom-line based programming, rather than diverse, experimental, and innovative ideas.

We believe that licenses should not be transferable. If a licensee decides to cease operating then that spectrum will simply become free. Again, this will guarantee that licensees will be those who sincerely wish to communicate, rather than speculators.

C. Local/Regional Voluntary Coordination

The opposition often states that implementation of microradio would lead to undue administrative burdens on the FCC. We do not think this is necessary. In our initial comments we requested that local/regional voluntary microbroadcaster associations be allowed to handle most administrative issues, with the FCC only stepping in as a last resort. A number of comments supporting microradio made similar observations about the success of local, voluntary "frequency coordination" organizations in amateur radio and other similar services. In addition, the New Jersey Broadcasters Association and others noted that the FCC has allowed state broadcasters associations to take over some of the FCC's duties, such as station inspections. We believe that the assistance of local/regional voluntary micropower organizations could be utilized to significantly reduce any additional administrative burden on the FCC.

In addition, we believe the such local coordination will likely be far more successful if the microradio service is entirely non-commercial. With an entirely non-commercial service, there will be far less competition for available spectrum; negotiated time-sharing and other such arrangements will be much more feasible.

IV. Public Service

Many of the broadcaster opposition comments state that current full-power broadcasters provide adequate public service. Some even state that recent consolidation has led to improvements in public service. This is ludicrous. The comments by those supporting microradio come from every part of the United States, and over and over they tell the same depressing story: a decrease in local public service, elimination of news and public affairs programming, elimination of locally oriented programming, and an intensified focus on bottom-line considerations over all else. One of the authors of this reply (Philip Tymon) teaches broadcasting at a state university. He has occasion to talk to many people in broadcast management, sales, programming, etc. and they all repeat the same story-- distant corporate management demands ever increasing sales and profits to pay for mergers and buyouts and satisfy stockholders. Nothing else matters-- public service and local programming are never a consideration. Since the deregulation of radio in 1981, there has been a huge drop in local public service programming. The consolidation following the Telecommunications Act of 1996 has even further accelerated this drop. The press has been full of reports of diminished public service, some of which we cited in our initial comments. We note that groups of listeners from places as diverse as Maryland,

Florida, Kansas, and Colorado have explicitly noted the need for local, community oriented stations.

V. Emergency Services

Many of the opposition comments from broadcasters question whether microradio will be able to participate in the use of radio for emergency purposes, or Emergency Alert Service (EAS). However, we note that a number of independent experts in EAS, from quite varied parts of the United States, strongly welcome the advent of microradio as an additional outlet for emergency broadcasts. One of them even states that currently licensed broadcasters have often not been fully cooperative with EAS.

The whole point of microbroadcasting is to provide very local service, of which emergency broadcasts are certainly a prime example. We believe that microbroadcasters will be happy to cooperate in a reasonable EAS system that integrates their operations.

VI. Alternative Life Stylists, Hobbyists, and Other Problems

Between 1556 and 1695 the British government licensed printing presses. Only a few very loyal and trusted companies were given the legal right to print. After this extremely restrictive licensing scheme was ended, the British imposed a Stamp Tax on printing. This ensured that only the wealthy could afford to print. It was this very tax which is referred to in the Declaration of Independence as "taxation without representation" and is cited as one of the principal causes of the American Revolution.

The First Amendment was authored by a group of men who were quite aware of their recent history. If anything, the First Amendment was intended to prevent licensing of the media and schemes to restrict speech rights to the wealthy. The underlying goal of the First Amendment is to prevent the creation of an "establishment" media-- one which owes its existence and privileges to the government and is, therefore, unlikely to ever allow communications which seriously threaten the "status quo". Yet the FCC has fallen into this very trap. While the technology of broadcasting does require, unfortunately, some sort of regulatory scheme, the purpose of that scheme is not to produce a "safe" medium of communications.

Yet the comments of the NAB, the State Associations of Broadcasters, and the other opposition are breathtakingly devoid of any analysis or even awareness of basic First Amendment values. A group of New Mexico broadcasters express the fear that "militiamen, religious fanatics, drug culturists, alternative life stylists and various assorted crackpots..." will dominate the new LPFM service. What if they do? The last time we checked, the First Amendment belonged to everybody. It's called "free speech". (And which drug are they talking about- tobacco, alcohol, or viagra?)

The State Associations praise "professionals" and warn against "hobbyists". We see nothing in the First Amendment to apply it solely to "professionals". If anything, the First Amendment is more rigorously applied to those who wish purely to communicate ideas and culture rather than those who are communicating primarily for profit. A long series of Supreme Court cases have established that "commercial" speech has far less protection than non-commercial speech. The vast majority of commercial full-power stations have clearly become little more than a vehicle by which to deliver audiences to advertisers. There is no urgency to communicate anything; programming is safe, bland, and geared toward the lowest common denominator. Neither the First Amendment nor the Communications Act were passed to "protect" such programming from those who would use the medium to sincerely and passionately advocate ideas and artistic expression. If the FCC buys this notion of a safe and establishment media, then it is clearly an agency that has been "captured" by the very industry it is intended to regulate.

VII. Rosa Parks- The "Pirate"?

In 1955 when Rosa Parks decided to sit in a bus seat reserved for "WHITES ONLY" she was breaking the law. She was "pirating" a seat that did not legally belong to her. She was right and the law was wrong. And she didn't need to nicely ask permission before violating an immoral and unconstitutional law. That is the essence of civil disobedience.
Maybe we should also mention that every signer of the Declaration of Independence was breaking the law-- a law punishable by death.

A number of the broadcasters who have opposed microradio have done so on the grounds that it will reward "pirates". This is equivalent to saying that we should not have compelled integration of public facilities because it would "reward" lawbreakers like Rosa Parks. Or maybe we should not have honored George Washington because it "rewards" traitors to the King?

This broadcasters' response is the arrogance of state-protected monopolists.

VIII. Alternatives for the NAB?

A number of the broadcaster comments suggest that microbroadcasters use alternatives such as the internet, amateur radio, and the telephone. We suggest, quite seriously, that the vast majority of current full-power broadcasters are the ones who are wasting the spectrum. The most optimal use of radio is geographic localism-- reaching people in a neighborhood or town who share common concerns and needs. Yet it is exactly that localism that current broadcasters have been rapidly abandoning. The vast majority of current radio broadcasting has almost no uniquely local content (other than the advertising). Much broadcast fare is made up of syndicated, automated, or satellite transmitted programming. Much of the rest consists of highly restricted and formatted music programming which is nearly identical throughout the US. All of this generic national programming is wasting precious local broadcast spectrum. It could all be

broadcast directly via satellite to listeners' radios, thereby eliminating the middleman. Or it could be delivered via the internet, cable radio, or possibly other means.

We suggest that the FCC initiate a rulemaking to consider whether all broadcasters who not originate at least 75% unique local programming should be moved to alternative media, leaving the current broadcast spectrum open to those who pledge to provide truly local service.

IX. Modification of Our Previous Proposal

Our previous proposal suggested a power limit of 100 watts rural and 50 watts urban. However, many microbroadcasters have informed us that there are numerous situations in which 100 watts urban would be necessary to provide adequate service. Therefore we wish to modify our proposal to allow for a maximum of 100 watts, no matter the location. Of course, that would assume that no demonstrable interference is caused to full-power facilities.

X. Moratorium and Amnesty

We agree with the basic thrust of the comments by Nicolaus and Judith Leggett and Don Schellhardt requesting a moratorium on prosecutions of microbroadcasters and amnesty for microbroadcasters who have been prosecuted. Unlicensed microbroadcasters are not acting for venal or criminal purposes, but rather to affirm and establish their constitutional rights through civil disobedience. In fact, had they not taken a firm stance to assert their basic rights this rulemaking would not be taking place.

Respectfully submitted by:

Philip Tymon
Committee on Democratic Communications
National Lawyers Guild
558 Capp Street, San Francisco, CA 94110

(415) 522-9814

July 20, 1998

SIGNATORIES

Following are the names of the individuals and organizations on whose behalf these comments are submitted. These signatures have been transmitted to the Committee on Democratic Communications via e-mail, and are authentic to the best of our knowledge. Comments appended to the signatures are included intact.

Jackie Dove, San Francisco Liberation Radio
dove@slip.net
http://www.slip.net/~dove

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www.daukas.com
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(860) 257-1555

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Richard Edmondson, San Francisco Liberation Radio
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Jeff Anderson, mdl80-1@pacbell.net

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Gordon Muth, gmuth@neonsys.com

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I completely support the statement of the Committee on Democratic Communications of the National Lawyers Guild concerning micropower radio.

An FCC that tries to restrict use of the airwaves to a few large corporations that fund and define campaigns for national political office, and large "public" stations dependent for their budgets on corporations, is deliberately limiting political speech. It is trying to prevent citizens of the United States from learning what crimes against humanity are being committed in our names and with our money in Panama, Iraq, El Salvador, Chiapas, and our own streets. It is trying to prevent us from sharing background information, debating the issues honestly and listening to each other. It is trying to keep us from discovering

that we who oppose violence and insatiable greed are the majority. It is trying to substitute the propaganda of the few for democratic decision-making.

It is also suppressing the intellectual interaction that stimulates intelligence. We need not a few approved artifacts, repeated until they lose meaning, but our own live minds in conversation anyone can join.

Newspapers are not a substitute. They are too expensive for individuals or community organizations to produce in quantity, and they waste paper. Ownership of newspapers across the country, like ownership of high-powered radio stations, has been concentrated in a few hands. The Internet is accessible to those with the money to own and house up-to-date computers. CB radio and the telephone are useful only for conversation with a few people at a time. They are not mass media for addressing an entire community. Big Brother's attention to my political comments over the telephone is not an acceptable substitute for a general audience of honest citizens who can answer.

If the Commissioners feel they are not competent to coordinate democratic access to the airwaves, they should resign.

Constance L. Marsh, wanderer@sfo.com

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I would like to voice my support for your proposition. I live in a large suburban area--my particular suburb is 50,000 strong--and the coverage of local issues is meager at best. It's easy to find processed music or sports; however, I've only found a few stations covering local issues on a couple of 2-3 hour shows. However, their listenership is strong which I believe clearly indicates that people are hungry for someone to bring these matters to light. Keep up the good fight!

Laura Gratz, Missouri City, TX 77459

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Lyn Gerry and Shawn Ewald, Radio4all, Los Angeles
http://www.radio4all.org

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Steering Committee : Concerned Citizens For Freedom in Radio,
Northeast Los Angeles
PO Box 1945, Los Angeles, 90041

Victoria Delgadillo	Arturo Espan~a	Fernando Flores
Manuel G. Lopez	Lisa Nun~ez	Rudy Ramirez
Cesar Tejeda	Edgar Toledo	

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Daniel O'Neil, dfoneil@umich.edu

==========

David Leder, dave@riverrats.net
San Marcos, TX

==========

Dark Ice Pirate Radio, Oklahoma

==========

latch@jump.net

==========

I endorse, as a citizen and radio listener who desires greater diversity and more responsiveness in radio programming, the proposal of the Committee on Democratic Communications of the National Lawyers Guild.

Kevi Krause, Greenbrae, CA

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Denny Henke, Collective Member,
Constructive Interference Collective/Free Radio Memphis 94.7FM

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Bill Doerner
3803 Waldron Rd., Corpus Christi, TX 78418

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Joel Murach
611 Guerrero, #3, SF, CA 94110

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Joe Ptak, uKind Radio
San Marcos, TX

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Read the proposal. I would have suggested a more diplomatic approach that doesn't condemn the NAB as much, if only because the FCC may refuse to accept the proposal for this reason; some of the side comments, like about the inferiority of IBOC, are purely subjective and really don't belong in this sort of document.

Many of the examples, as well, are analogies extended far enough to be borderline fallacious... some people may take offense to the representation of microbroadcasting as something equally as important as the formation of the Union or the civil rights movement. (Civil rights especially are a hot topic, for absolutely no legitimate reason. A minority woman at a major defense contractor recently objected to the statement that the United States of America are *one* nation. She insisted that there are *several* nations in the US, including a black nation, a Hispanic nation, and an Asian nation, among others. Personally, I immediately thought of the movie 'Alien Nation'.)

I would also like to see some mention of *how* a microbroadcaster can, in good faith, determine whether he is causing interference; that area is left a little open for my tastes. A significant barrier to the formation of new commercial stations at or above 100 watts is the licensing and evaluation procedure; I can see the omission of the specifics here as leading to similar difficulties with microbroadcasters.

Politically, I think the proposal as written is inflammatory and may suffer for that. All the same, the underlying logic and reasoning is sound... no pun intended... and the majority of

the recommendations are perfectly reasonable and intelligent, although I do have the above concerns. So sign me up.

Caliban Tiresias Darklock
325 S Washington Ave. #302
Kent, Washington 98092

==========

I fully support RM9208 and the reply comments made by the supporters of a Micro Broadcasting Service. I count myself among them. As a Media Studies scholar, I have done extensive research on the micro broadcasting movement. I have examined the arguments of all concerned parties and searched for alternatives that would satisfy all those involved. This latest proposal would, I believe, meet the needs of all parties.

Mass Media, as it currently exists, is a fact of life in America today. Commercial media and Public Broadcasting have converted to an economy of scale, and having done so, have ensured their economic survival. This strategy has, however, left a large segment of the population unserved and underrepresented. Supports of micro radio, by way of RM9208, are not trying to take away or change this system. They simply want to fill the gap created by media consolidation and serve segments of the population whom mass media apparently has no interest in. Further, the creation of a Low Power FM Service would reduce the public service burden commercial media has railed against and the FCC has sought to reduce over the past 30 years.

The fact of the matter is, the micro broadcasting phenomenon is becoming more and more entrenched as every day passes. Participants include all segments of society: poor and middle class, young and old, conservatives, liberals, radicals, evangelists and atheists, and rural and urban residents. As indicated by the postings submitted of the Micro Radio Listserv (MRN) by the NAB (and those postings omitted by them), despite the different viewpoints, we are united in the belief that we are being denied a voice by the current broadcasting scheme. This large and diverse group is committed to micro broadcasting and consider its prohibition a violation of basic fairness and our Constitutional rights. A simple statement denying this by the FCC and the NAB will not alter this perception. Regardless of any government action (or inaction) this movement will continue to grow. Since government raids by armed officers and the harassment of participants and supporters have not slowed this movement, I fail to see how the FCC plans to successfully interdict micro radio.

My research has indicated that the FCC does not have the time, money, or resources to eradicate the micro broadcasting movement. Moreover, the movement itself has shown no indication of slowing or retreating from its demands for a small part of the radio spectrum. This can only lead to a protracted conflict and a public relations disaster for the FCC. In 1993, when I began my research, I could only find a handful of articles on micro radio. Five years later, not a day goes by without a story on the micro radio movement in the mainstream press. As the FCC escalates their actions, this will only continue. With

every story, more people discover the movement and seek it out, starting their own stations or supporting those on the air.

In conclusion, making room for micro radio is the only real, viable option left for the FCC. Only though acceptance of this petition can the stated goals of the FCC, that of a safe, clear, and publicly responsive spectrum, be met.

I thank you for your time and consideration concerning this matter. Please feel free to contact me if I can be of further assistance.

Respectfully,
Ted M. Coopman, Rogue Communication
1135 N. Branciforte Ave, Santa Cruz, CA 95062
rogue@roguecom.com

Andrew Grieshop
2228 Dwight Way #3 , Berkeley, CA 94704

To the FCC:
RE: the micro radio ruling

I want to go on record as being in favor of allowing micro radio. I can see the great advantage to building up the strength of local communities and local nonprofit organizations.

I believe ocassional events could also benefit, in the same way that channel TV has to provide cheap local channels.

I can see no reason not to allow this kind of radio other than the self-interest of large media corporations.

I believe that the air waves belong to the people and that trying to limit their use in this case is going against the sense of freedom of the American people. And it would create jobs.

Please allow micro radio.

Glenn Lehman
34 W Eby Rd, Leola PA 17540

Noah Loesberg, noah@enteract.com

Thomas Boyhan
212 South Old Dixie Highway, Jupiter, Florida 33458

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IN FAVOR OF RADIO FOR ALL
Camerscott@aol.com

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Antonia Reaves
125 Near Ct. #641, Walnut Creek, CA 94596

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Sean Trunk, San Francisco, CA 94107

==========

Nick Johnson, mrnick@spatula.net
San Bruno, CA

==========

Richard Freeman
642 Alvarado St. #107, San Francisco CA 94114

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Yes, I support unlicensed microbroadcasters as a form of free speech. Moreover, I think something should be done about getting more local programming back into existing licensed radio stations.

Richard Lamoreaux
6881 E. Tawa, Tucson, AZ 85715

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David Forbes
2602 E. Helen, Tucson, AZ 85716

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I fully support the constitutional right to free speech and the exercise of same by microradio.

Michael O'Donnell
455 Cavour Street, Oakland, CA 94618

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jason kleinberg
1431 castro st., san francisco ca 94114

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SPURT radio 102.5 FM <spurt_radio@geocities.com>
http://spurt.home.ml.org

The crew of SPURT radio wishes to be added to the list of supporters of the CDC's comments being sent to the FCC. We are members of the communities of both Berkeley and Oakland, California.

One comment I just can't help but make: When micropowered radio opponents say that we won't serve the community in an emergency, I think HA! License or not, the waving of the FCC blessing or not, when the big earthquake hits us here, we're putting our transmitter back onto wheeles to run ourselves ragged helping people get what they need,

finding out where to get supplies and help, and dispersing information and playing some music and telling stories. I know our signal only goes a few miles, that's the point! To serve our neighborhood! That's ALSO why, only a few more miles away, another station never had any trouble sharing a frequency with us when we were doing a show.

Support the efforts of the Committee on Democratic Communications, bring your neighborhood to life!

-Cap'n D
SPURT radio, Solar Powered Urban Radio Transmissions
==========

Dennis J. Baum
970 Vermont Street #2, Oakland, CA 94610
==========

Kelly Benjamin
POBox 173426, Tampa, FL 33672
==========

Melinda Nickels
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==========

Daniel Davis
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dkd@usa.net
==========

Michael Purdy, m-purdy@govst.edu
Coordinator, Communications Programs
Governors State University, U. Park, IL 60430
==========

Jeffrey Coleman
735 SW St. Clair Ave., Portland OR 97205
==========

I am a former owner of two fulltime licensed radio stations and am very excited to see the petitions before the FCC for microradio. As a recent article in RW has stated, "are you bored yet?" with the same sounds of all commercial radio outlets. What a welcome, fresh voice microbroadcasters would make!! Put me down in hearty support of your petition.

Brett Reese, Box 5, Severance, CO. 80546
==========

Don Hawks
"Center for Learning Potential" <cntr4learning@rica.net>
Mt. Sidney, VA
==========

Howard Rosenfeld
2048 NW 31st Ave, Gainesville, FL 32605

==========

bob grasmick
2005 main st., torrington, wy. 82240
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Michael "Solomon" Ford
sol@zeus.gatetek.com
Columbus, Ohio

==========

Stephen Provizer
Radio Free Allston
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617-232-3174
www.radfrall.org

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Radio Watson 96.3 FM
Watsonville, California

==========

Don & Kandy Hall
Whinny Farms
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Jerry Barton
<ezrider68@mindspring.com>

==========

Bryan Alexander
<balexand@centenary.edu>

==========

Terry Glover
terryg@sirius.com
San Francisco, CA 94109

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I am writing to express my support for the proposal made by the Stephen Dunifer/Free Radio Berkeley Defense Team and various community service micro broadcasters and others to address the issues of meaningful democratic communication and public access.

Liberate the airwaves! Return control to the *people*, to whom it rightly belongs. Let free speech ring!

Carol Liu
radred@ix.netcom.com
New York City

==========

I own a small non commercial FM radio station in San Juan, Puerto Rico I am in total support of the proposal

Ulises Seijo"
radiojungla@hotmail.com

==========

I agree with the basic thrust of the comments by Nicolaus and Judith Leggett and Don Schellhardt requesting a moratorium on prosecutions of microbroadcasters and amnesty for microbroadcasters who have been prosecuted. Unlicensed microbroadcasters are not acting for venal or criminal purposes, but rather to affirm and establish their constitutional rights through civil disobedience. In fact, had they not taken a firm stance to assert their basic rights this rulemaking would not be taking place.

Jon J. Camp Internet: jjc@mayo.edu
Mayo Foundation
Rochester, MN 55905 Phone: (507) 284-3870

==========

David Ihnen
<dihnen@cisco.com>

==========

I used to run a TOTALLY FREE BBS, and if I had the chance, I'd definately run a micropower station! Corporate radio is homoginizing America!

Matt Atkins <matta@cl-sys.com>

==========

I would like to put my name on the petition to legalize low-power / micro radio / community radio stations...

Alexander C. Ortega
Rock Island, Illinois 61201
dr.chaos@qconline.com

==========

How about no license, no bureaucracy, no transfer et. just a set of simple basic rules like limited power and no interference and max antenna size and height above terrain. that's it. We do not need big brother! If the FAA could do it when they authorized unlicensed ultra lights, so can the FCC. Then and only then will we have true freedom of speech on the airwaves! Anything less is government censorship!

Anthony Steller.
tsteller@cctrap.com

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Stephen Dunifer, Berkeley, California

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Free Radio Berkeley, Berkeley, California

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In view of the rapidly growing importance of microbroadcasting for freedom of communication in America, I would urge you to support a moratorium on prosecutions of microbroadcasters and amnesty for microbroadcasters who have been prosecuted.

Spencer H. MacCallum
emalie@look.net

==========

Robert Vogel
<vogel@snet.net>

==========

Glenn H. Martin
3035 23rd Street, San Francisco, CA 94110

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You give those corrupt scumbags in D.C. hell. You got my vote.

"joe" <fred69@prolog.net>

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I beg you create some sort of usable non-commercial Low Power FM service, and endorse the proposal of the National Lawyers Guild+s Committee on Democratic Communications filed as comments to proposed rulemaking #9208Unlike the commentors writing to oppose the introduction of this type of service these comments are written for love, not for money. I am neither an electronics engineer nor a public policy administrator, but I believe that there ought to be a well articulated public policy regarding the use of our airwaves, and that both of these disciplines and their respective practitioners ought to serve the general well being of our society, and not the other way around. Accordingly I think it's time that the Commission come right out and say either that a license to broadcast is nothing more than a license to print money, and that the public good is served by limiting the number of voices and viewpoints heard on the airwaves, and allowing these airwaves to be exploited without restriction for commercial ends, or else to say that a class of radio service that is accessible to all would be a boon to communities and democracy in general, and get on with the business of devising some rules that would furter this notion, and working out the technological details of implementing it.The NAB's comments as well as those of the state Broadcasting associations and those of individual licensees are so disingenuous as to border on the cynical, and betray a set of assumptions that contradict the mandate of the FCC. Chief among these are the comments that any LPFM service will be a financially disadvantageous for current licensees. I say -So What?+ I haven't read the Communications Act of 1934 line by line, but I know it declares the airwaves to be public property and charges the FCC with licensing them to broadcasters to serve the public interest, convenience, and necessity. As far as I know it says nothing about guaranteeing licensees the right to turn a profit. What if there were no money in radio whatsoever? I have been active as a community radio volunteer for almost 30 years, and I+ve hardly been alone. Allowed to do so or not, people will always operate radio stations,

out of passion for music, drama and literature, and out of commitment to democracy, education, and community. The NAB+s and its associates+ protestations of financial hardship are beside the point and utterly irrelevant to a consideration of the LPFM issue on its merits, in light of the mandated mission of the commission. Even more beside the point are the arguments that creation of a LPFM service would -reward+ the -pirates+. Other commentors in this matter have eloquently made the case, both abstractly and historically, for breaking unjust laws. I will merely point out that techniques of public administration are not what are under discussion here, but rather the merits and practicality of various proposals for the creation of a LPFM service. (In any event, it becomes power to admit and correct its mistakes)The creation of the FCC and the regulation of the airwaves was implicit recognition of the notion that commercial interest and public interest were often opposed. I submit that if this commision takes seriously its charge to provide for the public interest, convenience and necessity , it will reject all comments by current commercial licensees or their professional associations as necessarily prejudiced. The FCC, in its early days, might have as easily guaranteed a channel to every school board, college, local government, and citizen group that wanted one and left the private, commercial broadcasters to scramble for what remained, as the other way around. It's an old saw that freedom of the press is only available to those who own presses. In an age where increasingly less expensive computers and photocopying, and the development of the Internet has made written and graphic communications much more democratic, accessible and diverse, it is ironic that radio has grown more and more homogenious and station ownership unavailable to all but the wealthy. In an age when a significant portion of the population does not read English, especially in cities with high populations of recent immigrants, it is tragic that simple, reliable, inexpensive technology can not be legally employed to enable more people to participate in public life. The FCC has the opportunity to right an historic wrong, and guarantee that this powerful medium be used in accordance with the mandate of the Communications Act of 1934.

Respectfully submitted,
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