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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of	)	
	)	
Micro-Station Radio Broadcast Service	)	RM - 9208
Petition for Rulemaking	)	RM - 9242
	)	RM - 9246

To:

REPLY COMMENTS OF CHILDREN'S BROADCASTING CORPORATION

Children's Broadcasting Corporation ("Children's") submits herewith its reply comments in this consolidated proceeding, pursuant to Section 1.415(c) of the Commission's rules and the Order of the Chief, Mass Media Bureau (DA 98-978, released May 22, 1998) extending the date for filing reply comments. As noted below, these reply comments are directed specifically to the proposal submitted by Gregory D. Deieso proposing the creation of a new class of station to be known as Event Broadcast stations (RM No. 9246).

Children's and its subsidiaries are licensees of 13 radio stations in the following markets:

- WAUR(AM), Chicago, Illinois
- KAHZ(AM), Dallas, Texas
- KKYD(AM), Denver, Colorado
- WCAR(AM), Detroit, Michigan
- KTEK(AM), Houston, Texas
- KCNW(AM), Kansas City, Kansas
- KPLS(AM), Los Angeles, California
- WZER(AM), Milwaukee, Wisconsin
- WWTC(AM) and KYCR(AM), Minneapolis, Minnesota
- WBAH(AM) and WJDM(AM), New York, New York
- WPWA(AM), Philadelphia, Pennsylvania
- KIDR(AM), Phoenix, Arizona

Children's has operated radio stations in various markets for over seven (7) years with various formats, and affiliated entities, including, Community Airwaves Corporation, DCP Broadcasting Corporation and their subsidiaries have operated 24 radio stations in small markets since 1986:

- KQAA(AM) and KKAA-FM, Aberdeen, South Dakota
- KKBJ(AM) and KKBJ-FM, Bemidji, Minnesota
- KLIZ(AM) and KLIZ-FM, Brainerd, Minnesota
- KJJQ(AM) and KKQQ-FM, Brookings, South Dakota
- KQHT-FM, Grand Forks, North Dakota
- KHNR-FM, Honolulu, Hawaii
- KNUI(AM), KNUI-FM, KMVI(AM), KMVI-FM and KNUQ-FM, Maui, Hawaii
- KRRZ(AM), KZPR-FM and KIZZ-FM, Minot, North Dakota
- KLGR(AM) and KLGR-FM, Redwood Falls, Minnesota
- KSCJ(AM) and KSUX-FM, Sioux City, Iowa
- KBHB(AM) and KRCS-FM, Sturgis, South Dakota

These comments, while filed on behalf of CBC, also reflect the experience and views of its officers which arise from the ownership and operation of dozens of radio stations in small, medium and major markets over a period of two decades.. As a broadcaster extensively involved in the provision of programming in all types of markets, Children's has observed a definite need for Event Broadcasting as a supplement to the valuable programming services which broadcasters have rendered and can be expected to continue rendering to their communities.

Initial comments submitted in this proceeding reveal a deep schism which the Commission should make every effort to bridge in a way which will serve the legitimate needs and concerns of all parties. On the one hand, broadcasters such as Children's are deeply proud of being an integral part of the best system of broadcasting in the world.

American broadcasting is unique for the enormous variety of programming material made available to the public without cost, and all as a result of marketplace forces. The comprehensiveness and variety of broadcast service enjoyed by the public extends well beyond entertainment formats to include all types of news, information and opinion. The informed electorate made possible by broadcasting is a crucial part of our democratic system. Broadcasters naturally resent any implication that their programming efforts are inadequate. Broadcasters also reasonably fear that technical interference created by any new "micro-station" types of service would impair the reliability of their signals upon which the public has come to rely. Commercial broadcasters further feel that it is unfair and improper to introduce a new class of commercial business which could impair the revenues upon which current levels of public service are based, as such revenues are necessary to pay back indebtedness incurred to create the tangible assets of our broadcast system and to continue to afford the talent needed to keep producing quality informational programming in the future.

On the other hand, many other commentors feel that certain desirable types of broadcast programming are insufficiently available, as they are unattractive to both commercial and non-commercial broadcasters for a variety of reasons. These can include production expense, small potential audiences, and the difficulty of locating and retaining the services of suitable talent. Many commentors feel that broadcasters' efforts can and should be meaningfully supplemented in limited, specific ways to provide services currently lacking but in a way which would not undermine the investment, pride or integrity of our current system. The Commission's goal in this proceeding should be

to adopt only those proposals which will observe such a delicate balance.

Of the various proposals before the Commission in this consolidated matter, Event Broadcasting would appear to be the best attempt to reconcile these conflicting but legitimate concerns. The proposals for new classes of permanent facilities seem to fall into two categories. The more powerful ones fly in the face of the Commission's on-going effort to ensure the efficiency of broadcast operations and to eliminate potential sources of interference to regularly licensed parties. The lower power permanent proposals would merely encourage a proliferation of facilities too weak to attract the listenership and advertising base necessary to support the very types of programming their proponents aspire to produce. In addition, freed from most regulatory constraints, micro-power stations herald an enforcement nightmare which the Commission's field offices are not equipped to prevent.

Event Radio, on the other hand, is a service for which there is a demonstrable need, but which manages to avoid the pitfalls of the other, permanent proposals. Event Radio is designed to serve attendees of large public events, whose special needs are unlikely to be met in any other manner. Although conventional broadcast stations occasionally cover such events, their broadcasts are geared toward conveying as much of the atmosphere and activity as possible to listeners who are <u>not</u> attending event. Event Radio, though, is designed to serve the very different needs of those attending an event, and can provide valuable information for crowd control, safety, scheduling, the availability and location of support services, and the like. Protection to regularly licensed facilities would be ensured through restricting power to the level necessary to serve

attendees (including those arriving and leaving) and requiring coordination with potentially affected stations. Prompt resolution of otherwise unforeseen problems once broadcasting begins can be assured as a condition of the licensing process.

In sum, Event Broadcasting is carefully designed to satisfy a legitimate and pressing public need which existing broadcasters are not equipped to serve, while avoiding the pitfalls of several of the other proposals with which it has been consolidated. For these reasons, Children's strongly supports adoption of the Event Broadcasting proposal.

Respectfully submitted,

CHILDREN'S BROADCASTING CORPORATION

By: _____
Lance W. Riley
Its: Secretary and General Counsel

Dated: July 23, 1998