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Before the Federal Communications Commission
Washington, D.C. 20554
In the Matter of RM No. 9208, 9242, 9246 (Micro station Radio Broadcast Service, Petition for Rulemaking)

REPLY COMMENTS

To The Commissioners:

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 #9208

Unlike 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 commission 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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