

**UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554**

**Comments of Southwestern Ohio Public Radio regarding RM-11749, Petition for
Rulemaking to Introduce a new LP-250 service.**

1. Introduction

Southwestern Ohio Public Radio (SWOPR) is the licensee of Low Power FM (LPFM) station WSWO-LP, operating on 97.3 MHz and serving the community of license of Huber Heights, Ohio. WSWO-LP has been on the air since the fall of 2004.

2. Comments

2.1. Introduction of a New LP-250 Service

SWOPR supports the proposed LP-250 service as a means of solidifying coverage within the existing service area of WSWO-LP. Our location in Huber Heights is similar to the example of WBED-LP described in the Petition, where the local area elevation relative to the surrounding terrain results in a high calculated HAAT and resulting reduced power operation.

When WSWO-LP first signed on at 97.7 MHz, we received a 100 watt ERP assignment for operation just under the 30 meter reference HAAT. However, the antenna's actual height above ground level was just under 10 meters or just over 30 feet. The station was also located north of the city limits of Huber Heights due to the strict spacing requirements of the original LPFM rules. This location left us with a poor signal in almost two-thirds of Huber Heights due to obstructions from buildings, trees, and local terrain (the telephone pole that the antenna was mounted on was actually below the level of the tops of a nearby patch of trees). Reception suffered because the signal could not overcome co-channel interference from WOXY, initially located in Oxford and later relicensed to Mason. A ridge runs east-west through Huber Heights, roughly along Interstate 70, and separates recently developed areas of the city to the north from the older portion of the city to the south. From this transmit location north of I-70, the intervening terrain blocked the line-of-sight between the antenna and southern portion of the city. Were it not for beginning a rebroadcast on a third-party translator (W268AX 101.5, which later became W266BG 101.1) the station would likely not have survived due to the poor coverage from this transmit site.

With the passage of the Local Community Radio Act and resulting relaxation of third-adjacent channel restrictions, in 2011 we were able to relocate to 97.5 MHz and move the transmit location to the studios, placing the antenna at 72 feet above ground level. However, again due to the high local terrain elevation's effect on the HAAT calculation, we were only allowed 33 watts ERP from this site. This location produced an improvement in overall coverage over Huber Heights, but still resulted in some trouble spots due to terrain obstruction and co-channel interference from WTGR on the north side of the city, as the station was now located on the south side of the I-70 ridge. As one would expect, the 33 watt signal did not penetrate well into buildings. Most listeners were already listening via the W266BG translator and its more powerful signal, and stayed there through this transition.

In 2013, the rebroadcast of WSWO-LP on W266BG came to an end. Many listeners noticed that they could not receive the 97.5 FM signal, so SWOPR elected to file a minor change to move to 97.3 MHz and relocate the transmit antenna to the same tower that W266BG had been located on to try to replicate the prior coverage area as much as possible. (Operation at the studio was not permitted due to the site being short-spaced to WBNS-FM in Columbus, and a minor change application we filed to operate at the studio on 97.3 was rejected on that basis.) Terrain calculations at this site were more favorable and resulted in being able to use the full 100 watts at about 140 feet above ground level. These are now the current facilities of WSWO-LP.

There remain several deficiencies with the WSWO-LP signal that would be addressed by upgrading to the facilities in the proposed LP-250 class. One is that the station still has trouble with signal penetration into homes and workplaces in its primary coverage area. The city of Huber Heights bills itself as “America’s Largest Community of Brick Homes” as most of the homes are single-story brick ranch style houses built by one developer. We often hear from listeners that cannot get good reception of the station in their homes or businesses but can receive our signal in their cars. Many of our listeners work at locations such as Wright-Patterson Air Force Base and cannot listen to our station’s online stream at work due to their employer’s computer usage policies. Improving our FM signal for better building penetration would let us reach more at-work listeners in our coverage area.

A glaring example of the building penetration problem for our station is that WSWO-LP has had reception problems on the air monitor tuner in our own studios, which are located in a commercial storefront in a shopping center about 2.25 miles away from the transmitter site. This building is of heavy construction with concrete block walls covered with a layer of brick, and a metal roof, and the storefront windows face away from the transmitter site. We plan to place an outdoor receiving antenna on our STL tower as a solution, something that the average listener is unlikely to do when experiencing reception problems at home.

Also, our coverage issues continue north of the ridge along I-70 in the newer portion of the city. Any improvement in signal levels in this area that we could gain from the proposed rule changes would be welcomed. Due to the spacing requirements to first-adjacent WBNS-FM, second-adjacent interference protection requirements to WYDA, and restrictive zoning imposed by the city that makes new tower construction practically impossible, there are little or no other options available for WSWO-LP to relocate the transmitter site to address this coverage issue. The changes proposed in the Petition would allow us the flexibility to increase the transmit antenna height for a better line-of-sight into this problem area, without having to trade off so much power that in-building reception would be compromised more than it is now.

2.2. Protection Parity with FM Translators

We support the proposal that FM translators should be subject to the same interference protection requirements to an LPFM station as the LPFM is required with respect to the FM translator. Given that the power levels and physics of the two services are nearly identical, the proposal advanced in the Petition makes sense.

2.3. Extending Distance for Minor Moves

We support extending the distance limits for minor modifications of LPFM stations to provide greater flexibility in locating facilities. In our area, restrictive zoning limits the number of available tower sites, and the towers that do exist are likely at or near their structural limits due to demand for tower space from wireless carriers. (At least one wireless carrier has resorted to deploying a distributed antenna system on utility poles in Huber Heights instead of trying to find tower space or get approval to build a new tower for a base station.) Also, the few other towers in the area aside from the city-owned facility we use are owned by national tower holding companies that charge rents beyond what an LPFM station budget can support. Additional flexibility in location is needed to ensure that LPFM stations can find transmitter sites that are viable and make economic sense within the constraints of a tight budget.

2.4. Local Programming Hours

We oppose the proposed reduction in local programming requirements for stations in time-share arrangements. Too many LPFM stations have been put on the air as nothing more than outlets for satellite network programming, religious or otherwise. In our opinion, this runs contrary to how the LPFM service was envisioned as a means of bringing community voices and locally focused programming to the airwaves. If a station has pledged to provide local programming, they should be held to that promise regardless of the total amount of broadcasting time they receive as part of any time-share arrangement.

2.5. Removing the Contour Overlap Requirement in the FM Translator Rule

We support removing the contour overlap requirements for translators owned by LPFM stations for the same facility location flexibility reasons addressed above in Section 2.3. The requirement that the translator receives the LPFM station directly through off-air pickup serves as an effective natural limitation on the distance that the translator can be located from the parent station. In many cases the overlap may be needed simply to provide acceptable signal strength at the translator receiver input.

3. Conclusion

SWOPR supports the majority of the proposals put forth in this Petition for Rulemaking. We would welcome the opportunity to improve service to our listening audience in their homes and workplaces through this modest increase in ERP limits. We ask that the Commission please give this proposal its consideration.

Respectfully submitted,

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