

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

**In the Matter of** )  
 )  
**Improvements to the Low Power FM** ) **RM-11749**  
**(LPFM) Radio Service** )  
 )  
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 )

**To the Commission:**

**WRITTEN COMMENTS OF DON SCHELLHARDT, ESQUIRE KI4PMG**

In 1997, acting in concert with Nickolaus E. Leggett of Virginia, I filed the nation's first Petition For Rulemaking to establish a Low Power FM (LPFM) Radio Service. In 2013, Nick Leggett and I filed the nation's first Petition for Rulemaking to add LP250 stations (101 to 250 watts) to the LPFM Radio Service.

This 2013 Schellhardt/Leggett Petition became PRM 13MB. Unfortunately, when REC NETWORKS filed its own LP250 Petition 17 months later, leading to the issuance of RM 11749, the Commission did not solicit public comments on -- or even acknowledge the existence of -- the Schellhardt/Leggett LP250 Petition of 2013.

Today, Nick Leggett and I have filled in this Docket a Motion For Extension Of Time. We asked the FCC to issue a new Public Notice in RM-11749, appending the text of the Schellhardt/Leggett Petition and specifically soliciting public comments on that earlier Petition. We further asked the FCC to set a new comment deadline 30 days after issuance of the new Public Notice.

Speaking for myself, I strongly support the concept of LP250 stations. In fact, THE AMHERST ALLIANCE, which I co-founded and then led for a number of years, was the first group to propose LP250 stations. (Note: Amherst acquired the concept from THE COMMUNITY RADIO COALITION, which went defunct in 1998.)

While the REC NETWORKS approach to LP250s is mostly acceptable, I oppose -- with all of the vigor at my command -- the REC NETWORKS proposal to allow LP250s in areas with high population density.

I fervently urge the Commission to adopt the policy proposed in the 2013 Schellhardt/Leggett Petition:

**\*\* Allow licensing of LP250s ONLY in cases where the service area will fall COMPLETELY outside of any Standard Metropolitan Statistical Area (SMSA). \*\***

LP250 siting within Micro SMSAs (large towns and small cities) should be permissible, but LP250s should be kept outside of large urban areas with high population density.

In this regard, the 2013 Schellhardt/Leggett Peitition quotes the FCC as wondering whether LP250s might compromise the fundamental nature of the LPFM Radio Service. When and if LP250s are allowed into large urban areas with high population density, the answer would be: **Yes. Yes. YES.**

Nick Leggett and I envisioned LPFM stations that would be "community-sized" and therefore "community-oriented". If potential audiences become too large, LPFM stations may be motivated to become too standardized and bureaucratic.

My other concern is the scarcity of spectrum in areas with high population density. In such areas why should the Commission license a single LP250 when there could be room for 2 or 3 smaller LPFM stations?

**\*\* PLEASE keep LP250s out of areas with high population density. \*\***

**Respectfully submitted,**

**Don Schellhardt, Esquire KI4PMG**

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**Dated: June 15, 2015**

**Note 1: Mr. Schellhardt is having some major computer problems, so this document is being filed for him by Nikolaus E. Leggett, 1432 Northgate Square, #2A, Reston, VA 20190-3748 phone (703) 709-0752 [leggett3@gmail.com](mailto:leggett3@gmail.com)**

**Note 2: A copy of the original Schellhardt/Leggett petition on LP250 LPFM stations is included in this filing.**