

REPLY COMMENTS OF DON SCHELLHARDT, ESQUIRE TO THE WRITTEN
COMMENTS OF THE NATIONAL ASSOCIATION OF BROADCASTERS (NAB)

Docket RM-11749: Proposed LPFM Changes

I have made four unsuccessful attempts to submit Reply Comments to the NAB over the FCC's Express Filing Service. I am now using the regular filing system instead, although it has some drawbacks. In my current situation.

I am limiting my Reply Comments to a skeletal outline of key points:

1. I am writing on behalf of both myself and Nikolaus Leggett of Virginia (who is currently unavailable). In 1997, we co-filed the nation's first Petition For Rulemaking to establish a Low Power FM (LPFM) Radio Service. In 2013, we co-filed the nation's first Petition For Rulemaking to establish LP250 stations (101 to 250 watts) within the LPFM Radio Service.

2. We agree with the NAB on one issue. The Commission should reject proposals to roll back requirements for local origination of programming on LPFM stations. We believe the requirements should be phased in over a few years, to give LPFM stations enough time to gather resources, but we do NOT believe the requirements should be minimized or eliminated.

Locally originated programming is an absolute pillar of LPFM. If this pillar is removed, or weakened to the point of danger. LPFM stations will lose much of their reason for existing in the first place. On The Other Hand, if LPFM stations face a local programming mandate which is challenging, but not incapacitating, then America may yet see the rebirth of one or more "Motowns": music by local artists, "grown at the grassroots" and aired locally, that spreads in time across the world.

3. The NAB points to various problems that could supposedly arise if LP250s are licensed. However, IF these problems could materialize at all, they seem likely to materialize ONLY in areas with moderate to severe spectrum scarcity. Thus, the NAB is opposing all LP250s, everywhere, but really only criticizing LP250s in crowded areas.

Unlike the REC NETWORKS Petition of 2015, the Schellhardt/Leggett Petition of 2013 proposes to bar LP250s from Standard Metropolitan Statistical Areas (SMSAs). If the Commission adopts this approach, or a reasonable variation of it, the decision would render moot most or all of the concerns expressed by the FCC.

4. I am sending a copy of these Reply Commenta, electronically, to Rick Kaplan, Esquire of the NAB (nab@nab.org).

Respectfully submitted,

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