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August 24, 2015
Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW, Room TW-A325
Washington, DC 20554

VIA ECFS

Re: Docket 13-249 (AM Revitalization) *ex parte* Meeting

Dear Ms. Dortch:

I met today with James Bradshaw, Peter Doyle, Thomas Nessinger, Lisa Scanlan, and Susan Crawford to discuss the above docket. Attached in the handout that I used that gives most of the points discussed.

In addition I indicated that the root cause of FM broadcast piracy was perceived lack of access to broadcasting by minority groups and immigrant groups. With the downsizing of EB active enforcement and interdiction of such activity will be even more difficult. While we have not general view on the issue of giving new FM licenses to AM licensees as a way of improving the AM service, new FM transmitters operated by long term licensees in areas with minority and immigrant population pragmatically may exacerbate the piracy issue.

I also stressed that §7 of the Communications Act, 47 U.S.C. 157, appears to be the “law of the land” and that announcing that the Commission will give timely consideration to permanent approval – not just experimental licenses - of new AM band technology along with clarifying what technical data would be needed for such timely consideration may well stimulate capital formation and R&D in this historic band which is gradually falling into disuse.

Sincerely,



Michael J. Marcus, Sc.D., F-IEEE
Director

Cc: James Bradshaw, Peter Doyle, Thomas Nessinger, Lisa Scanlan, and Susan Crawford
Docket 09-157

Marcus Spectrum Solutions LLC *ex parte* Presentation
August 24, 2015
Docket 13-249
AM Revitalization

NPRM:

We seek to revitalize further the AM band by identifying ways to enhance AM broadcast quality and proposing changes to our technical rules that would enable AM stations to improve their service... We seek comment on these proposals, as well as any other ideas for improving the quality of the AM radio service.

MSS comments timely filed on 01/22/2014 (<http://apps.fcc.gov/ecfs/comment/view?id=6017584603>)

MSS does **not** address or have a position on issue of new FM licenses for AM broadcasters

While Docket 09-157, “Wireless Innovation”, is a WTB proceeding much of it deals with issues that are common to all Title III technical rules with respect to innovation and should be considered also in this MB proceeding

AM rules are most archaic part of all FCC rules:

<p>§73.190 Figure 5</p> 	<p>73.190 Figure 11</p> <p>PERMISSIBLE DAYTIME RADIATION FOR CLASS II STATIONS 1600 KC</p>
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Many sections little changed since pre-FCC FRC days

Like many Title III technical rules they discourage innovation, notwithstanding mandates of §§7 and 303(g) of the Comm Act, because new innovation need nonroutine approvals with no clear standard and because rules are more prescriptive than any other Title III technical rules.

Improved AM antenna technology or “community illumination techniques” would be the “holy grail” for daytime only stations.

While experimental licenses are granted, a viable business plan for capital formation for R&D requires some semblance of transparency with respect to criteria for approving new technology and time table. Previous deliberations show neither now exist.

Expectation is that FCC would just submits test data for notice and comment as ask does this cause “harmful interference” without any indication of what “harmful interference” criteria would be.

See “Clarifying Harmful Interference Will Facilitate Wireless Innovation”, IEEE-USA
<http://www.ieeeusa.org/policy/whitepapers/IEEEUSAWP-HarmfulInterference0712.pdf>

Similarly, improving directional array technology faced large uncertainties for the innovator with respect to criteria for regulatory action.

Docket 00-19 “declared a victory” with much micromanagement of Part 101 equipment, yet Part 73 clings to its pre-FCC roots with archaic micromanagement.

Record of Docket 83-114 and later proceedings such as LPFM show incumbents are exceedingly conservative with major parties even objecting to deleting of annual audio proof saying the sky would fall.

It was deleted 30 years ago and the sky did not fall!

Revitalize AM by removing regulatory burdens that in many cases predate FCC. Part 101 started with a clean sheet of paper, why not AM rules?