NATIONAL ASSOCIATION OF BLACK OWNED BROADCASTERS

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September 2, 2015

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Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street NW
Washington, D. C. 20554

Re: Notice of Ex Parte Communication, MB Docket 13-249, Revitalization of the AM Radio Service ("Notice")

Review of the Emergency Alert System (EB Docket No. 04-296); Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (EB Docket 06-119)

Dear Ms. Dortch:

On September 1, 2015, the undersigned President of the National Association of Black Owned Broadcasters, Inc. ("NABOB") along with Francisco Montero of Fletcher, Heald & Hildreth, PLC, and David Honig, President Emeritus and Senior Advisor, Multicultural Media, Telecommunications and Internet Council ("MMTC") met with Commissioner Ajit Pai and Alison Nemeth, Legal Advisor, to discuss the most important and effective proposal set forth in the AM Revitalization Notice: opening an application filing window for FM translators that would be limited to AM broadcast licensees.

As the Commission recognized in the Notice, the best way to help the largest number of AM stations to quickly and efficiently improve their service is to open such an AM-only window. Any other approach will make it extremely difficult, if not impossible, for AM stations, to obtain the translators they urgently need to remain competitive and provide our communities with the service they deserve. Access to FM translators will increase the likelihood of available financing to small minority owned AM stations, which already suffer from a lack of capital.

For 65 years, AM radio has been the technological gateway for entrepreneurs of color in broadcasting. Two-thirds of minority-owned broadcast stations are AM radio stations. AM broadcast owners want nothing more than to improve their service to listeners. If the Commission truly aims to advance minority broadcast ownership, and to fulfill its goal of revitalizing AM radio, it should promptly open an FM translator filing window that is limited to AM licensees.

NABOB proposed that the Commission should open two filing windows. The first filing window should be limited to only licensees of Class C and Class D AM stations, because these stations operate with limited or no nighttime power. After completion of selection of licensees in the first filing window, the Commission could open a window for Class A and Class B licensees. Each licensee should be permitted to obtain only one FM translator per-AM station.

Francisco Montero stated that a 250 mile waiver for relocating translators is almost worse than doing nothing because it is just an opportunity for larger stations to corner the market on all the remaining translators, which are already very expensive and out of the reach of smaller AM stations. It will not increase the number of translators, so bidding wars will continue, which will further drive up the prices. Instead of expanding the universe of available translators, the waiver will expand the universe of large stations with which the smaller operators will have to compete. A letter was presented to the Commissioner signed by the CEOs of 50 minority owned AM radio licensees, collectively owning 140 AM stations.[1]

A letter was presented to the Commission dated 8/28/15 signed by 24 national civil rights organizations asking the Commission to act on the 10-year pending "Katrina Petition" for multilingual broadcasting in and immediately after emergencies.[2] MMTC found it startling that the Commission would hold a public forum on emergency communications on the 10th anniversary of Katrina and nowhere on the agenda address the Katrina Petition.

In accordance with Section 1.1206(b) the Commission's rules, this notice is being filed in the Commission's Electronic Comment Filing System.

Sincerely,

James L. Winston

cc: Commissioner Ajit Pai
Alison Nemeth

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[1] A copy of that letter is attached as Exhibit A.
[2] A copy of that letter is attached as Exhibit B.

EXHIBIT A

August 31, 2015

Hon. Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: AM Radio Revitalization, MB Docket No. 13-249

Dear Chairman Wheeler:

For 65 years, AM radio has been the technological gateway for entrepreneurs of color in broadcasting. Two-thirds of minority-owned broadcast stations are AM radio stations. As minority AM broadcast owners, we want nothing more than to improve our service to listeners. Thus, we appreciate your commitment to advance the long-pending AM Revitalization proceeding.

Unfortunately, it has come to our attention that you are considering a reversal of course regarding the most important, effective proposal set forth in the AM Revitalization Notice: opening an application filing window for FM translators that would be limited to AM broadcast licensees. As the Commission recognized in the Notice, the best way to help the largest number of AM stations to quickly and efficiently improve their service is to open such an AM-only window. Any other approach will make it extremely difficult, if not impossible, for AM stations, including many of our own, to obtain the translators they urgently need to remain competitive and provide our communities with the service they deserve.

If the Commission truly aims to advance minority broadcast ownership, and to fulfill its goal of revitalizing AM radio, it should promptly open an FM translator filing window that is limited to AM licensees.

Sincerely,

The CEOs of 50 Minority Owned AM Radio Licensees, collectively owning 140 AM stations

The signators and their AM stations are listed on pp. 2-8 of this letter.

The contact persons for this letter are James Winston, President and Executive Director, National Association of Black Owned Broadcasters (NABOB), jwinston@rwdhc.com, David Honig, President Emeritus and Senior Advisor, Multicultural Media, Telecom and Internet Council (MMTC), dhonig@mmtconline.org, and Francisco Montero, Director, MMTC, montero@fhhlaw.com.

SIGNATORS

Alka Agrawal
Owner and General Manager
EVC Music Inc.
WWTR AM 1170, Bridgewater, NJ

Ann Alston
President and CEO
A and D Broadcasting Ltd.
WYRN AM 1480, Louisburg, NC

Joe Armstrong
CEO
Arm & Rage, LLC
WJBE AM 1040, Knoxville, TN

Carolyn Becker
Managing Member
Riverfront Broadcasting, LLC
President
Riverfront Broadcasting of Iowa, LLC
KCCR AM 1240, Pierre, SD
KORN AM 1490, Mitchell, SD
KYNT AM 1450, Yankton, SD

Gerald Benavides
President
Claro Communication LTD
KROB AM 1510, Robstown, TX
KOPY AM 1070, Alice, TX
KBRN AM 1500, Boerne, TX
KEDA AM 1540, San Antonio, TX
KKLF AM 1700, Richardson, TX

Trila Bumstead
Owner
Ohana Media Group, LLC
KAST AM 1370, Astoria, OR
KBYR AM 700, Anchorage, AK
KVAS AM 1230, Astoria, OR

Amador S. Bustos
President & CEO
Bustos Media Holdings, LLC
KZSJ AM 1120, San Martin, CA
KREH AM 900, Pecan Grove, TX
KTXV AM 890, Mabank, TX
KTXW AM 1120, Manor, TX
KGDD AM 1150, Portland OR
KOOR AM 1010, Milwaukie, OR
KRYN AM 1230, Gresham, OR
KQRR AM 1520, Oregon City, OR
KXEX AM 1130, Mt. Angel, OR
KMIA AM 1210, Auburn, WA
KXDY AM 1020, Union Gap, WA
KULE AM 730, Ephrata, WA

Dr. Glenn Cherry
CEO
Redemption Strategies Broadcasting, LLC
WCSZ AM 1070, Greenville SC
PSI Communications, LLC
WPUL AM 1590, South Daytona, FL

Lee Armstrong Clear
President and General Manager
Clear Media, LLC
WNOO AM 1260, Chattanooga, TN

Lilipiana Darensburg
President
Logan Darensburg
Vice President
Darensburg Broadcasting
WARR AM 1520 Warrenton, NC

Edward Distell
Owner
Distell Radio Group
KWBY AM 940, Woodburn, OR
KCKX AM 1460, Stayton, OR
KZZD AM 1390, Salem, OR

Adib Eden
President and CEO
Actualidad Media Group, LLC
WURN Radio 1020, Kendall, FL
WLVJ Radio 1040, Boynton Beach, FL
WMYM Radio 990, Miami, FL

Jose Roberto Ekonomo
President and CEO
EKO Media Group Inc.
WRJE AM 1600, Dover, DE
WSPG AM1400, Spartanburg, SC

Zee Ferrufino
Owner and President
Latino Communications, LLC
KBNO AM 1280, Denver, CO
KXRE AM 1490, Manitou Springs, CO
KAVA AM 1480, Pueblo, CO

Maurice Gaines
President
Praise and Glory Ministries
WITM AM 1330, Marion, VA

Annette Garcia
President and General Manager
Son Broadcasting Network
KCHF AM 730, Santa Fe, NM

Art Gilliam
President
Gilliam Communications
WLOK 1340 Memphis, TN

Ronald Gordon
President and CEO
ZGS Communications
WAMA AM 1550, Tampa, FL
WGES AM 680, Tampa, FL
WILC AM 900, Greenbelt, MD

Roger Harris
General Manager
The Chickasaw Nation
KADA AM 1230, Ada, OK

Ira Hatchett
President and CEO
Hancock Broadcasting
WMEJ AM 1190, Bay St. Louis, MS

Robert Hill
President
Media One Communications, Inc.
WRNE AM 980, Gulf Breeze, FL

Jim Johnson
President and General Manager
Johnson Communications, Inc.
WDAO AM 1210, Dayton, OH

Jimmy Johnson
President and CEO
Johnson Broadcast Ventures, Ltd.
WCPS AM 760, Tarboro, NC
WCBT AM 1230, Roanoke Rapids, NC

Jim Lawson
President
Lawson of Tuscaloosa, Inc.
WMXB AM 1280, Eutaw, AL

Charles Kim
Owner and CEO
Pacific Star Media Co.
WPBS AM 1040, Conyers, GA

Edward Lander
President
BLS Entertainment, Inc.
WEOA AM 1400, Evansville, IN

Larry Lee, Jr.
President and CEO
Team One Media
WIRA AM 1400, Ft. Pierce, FL

Warren Lee
Owner and General Manager
Lataurus Productions LLC
WHLJ AM 1400, Moultrie, GA

Arthur Liu, President and CEO
Multicultural Radio Broadcasting, Inc.
WAZN AM 1470, Watertown, MA
WLYN AM 1360, Lynn, MA
WWRU AM 1660, Jersey City, NJ
WJDM AM 1530, Elizabeth, NJ
WKDM AM 1380, New York, NY
WZRC AM 1480, New York, NY
WPAT AM 930, Patterson, NJ
WHWH AM 1350, Princeton, NJ
WTTM AM 1680, Lindenwold, NJ
WFBR AM 1590, Glen Burnie, MD

[continued]

WLXE AM 1600, Rockville, MD
WZHF AM 1390, Capital Heights, MD
WATB AM 1420, Decatur, GA
WGFS AM 1430, Covington, GA
WEXY AM 1520, Wilton Manors, FL
WNMA AM 1210, Miami Springs, FL
WJCC AM 1700 Miami Springs, FL
KCHN AM 1050, Brookshire, TX
KXYZ AM 1320, Houston, TX
KMNY AM 1360, Hurst, TX
KDFT AM 540, Ferris, TX
KAZN AM 1300, Pasadena, CA
KMRB AM 1430, San Gabriel, CA
KAHZ AM 1600, Pomona, CA
KBLA AM 1580, Santa Monica, CA
KYPA AM 1230, Los Angeles, CA
KSJX AM 1500, San Jose, CA
KEST AM 1400, San Francisco, CA
KIQI AM 1010, San Francisco, CA
KATD AM 990, Pittsburg, CA
KLIB AM 1110, Roseville, CA
KFSG AM 1690, Roseville, CA
KWRU AM 1300, Fresno, CA
KXPA AM 1540, Bellevue, WA
KARI AM 550, Blaine, WA
KVRI AM 1600, Blaine, WA

Sara Lomax-Reese
Owner, President and General Manager
WURD AM 900, Philadelphia, PA

Deborah L. Maiden
President and CEO
JBD Communications, Inc.
WCSL AM 1360, Jacksonville, FL

Pluria Marshall Jr.
President
WLTH Radio, Inc.
WLTH AM 1370, Gary, IN

Y. Tony Mendez
President
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WPMZ AM 1110 North Providence, RI

Rev. Dr. Moses Mercedes
President
Radio Amor Inc.
WADS AM 690, Ansonia, CT

Jhonson Napoleon
President and CEO
Azure Media, Inc.
WBJW AM 1000 Jupiter, FL
WFHT AM 1390, Avon Park, FL

Frank Neely
President
Wisdom LLC
WGCD AM 1490, Chester SC
WGIV AM 1370, Pineville NC

Albert R. Perez
President
Compass Broadcasting, Inc.
KGED AM 1680 Stockton, CA
KXEX AM 1550 Fresno, CA

Alfredo Plascencia
President and CEO
Lazer Broadcasting Corporation
KOXR AM 910, Oxnard, CA
KCAL AM 1410, Redlands, CA
KZER AM 1250, Santa Barbara, CA
KSBQ AM 1480, Santa Maria, CA

Gary Richardson
President and CEO
Richardson Broadcasting Corporation
WJLD AM 1400, Fairfield, AL
WIXI AM 1360, Jasper, AL

Maria Isabel Rivera and Dulce Victoria Rivera
Owners
Rivera Communications
WQCR AM 1500, Alabaster, AL
WAYE AM 1220, Birmingham, AL

Juan O. Rodriguez
President and CEO
Latin World Broadcasting Inc.
KDLF AM 1260, Boone, IA

Ernesto Schweikert
President and CEO
Crocodile Broadcasting Corp.
KGLA AM 1540, Gretna, LA

Alvin Simmons
President and CEO
Habibi's Broadcasting, Inc.
KVDW AM 1530, England, AR

Alex Snipe
President and CEO
Glory Communications, Inc.
WEAF AM 1130, St. Stephens, SC
WALD AM 1080, Johnsonville, SC
WTQS AM 1490, Camron, SC

Michael Thurmond
CEO
Mecca Communications, Inc.
WXAG AM 1470, Athens, GA

John Torres
Owner
El Sol Broadcasting
WJTI AM 1460, West Allis, WI

Ambrosio Vigil
Managing Partner
California Broadcasting Co. LLC
KRRS AM 1460 Santa Rosa, CA
KZNB AM 1490 Petaluma, CA

Arturo Villareal
Executive Director
En Familia Inc.
KIDR AM 740, Phoenix, AZ

Roberto R. Villareal
President and CEO
Daij Media
KMIC AM 1590, Houston, TX
KQUE AM 980, Rosenburg-Richmond, TX
KBRZ AM 1460, Missouri City, TX
KJOZ AM 880, Conroe, TX
KCRM AM 1380, Shenandoah, TX

Dr. Richard S. Yoon
President and CEO
WIN Radio Broadcasting Corp.
WNYH AM 740, Huntington, NY

EXHIBIT B

August 26, 2015

Hon. Tom E. Wheeler, Chairman
Federal Communications Commission
445 12th St. S.W.
Washington, D.C. 20554

RE: Review of the Emergency Alert System (EB Docket No. 04-296); Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (EB Docket 06-119)

Dear Chairman Wheeler:

The 10th anniversary of Hurricane Katrina will be August 29, 2015. The days leading up to, during, and after this natural disaster demonstrated the importance of multilingual emergency communications. For the over 100,000 Louisianans not proficient in English, their world went dark that day and remained that way for many days. These residents were unable to get answers to questions such as, "Where do I go to find shelter?" "How can I find my children?" and "Is the water safe to drink?" For the terrified multitude taking refuge on rooftops as the water rose, there was often little hope for survival.

The penalty for an adult's or child's lack of English proficiency must never be death.

In many cities with large Latino, Korean, Chinese and Vietnamese communities, few or no stations are broadcasting in those languages. When Hurricane Katrina decimated New Orleans in 2005, the city's only Spanish language station was damaged and could not return to the air for eight critical days. During those eight days, over 100,000 Latinos had no landline service, no cellular telephony, no television, no radio, and no print media in their language. The city's Vietnamese communities also went dark and many of these residents had no means to communicate their need for medical assistance. In a time of desperate need, finding medical facilities, shelter, food, and potable water was a matter of life and death for tens of thousands who were not fluent in English.

In response to this structural breakdown in our emergency communications, on September 20, 2005, three civil rights organizations filed the "Katrina Petition." Its paradigm was a simple adaptation of the "designated hitter" system used by United States Army platoons when taking a hill in battle: in each radio market, the state EAS plan would designate which station(s) would fill in and provide multilingual information if no other station in that language remained on the air during or in the wake of the emergency.

In the ten years since Katrina, the Commission issued the National Broadband Plan. The agency has also resolved interoperability, intercarrier compensation, parts of universal service reform, and completed the open Internet proceeding. But after seven rounds of pleadings on the Katrina Petition, the Commission still has not yet acted to protect the lives and well-being of our 25,000,000 adults and children who are not proficient in English.

The Commission's 2006 Katrina Independent Panel concluded that the agency must mandate multilingual emergency alerts. There is a clear consensus that only 100 percent ubiquitous, free local radio can always be counted upon to provide life-saving information at the most critical of times.

It is profoundly unfortunate that the Commission cannot rely on voluntary action to solve this problem. Since the Katrina Petition was filed, not a single state broadcast association – not one – has come up with a plan to ensure emergency service to non-English language minorities. The issue here is not

whether there will be another Katrina; it is will we be prepared when it happens again. The lives of our fellow Americans should not hang in the balance. That is why life-saving emergency broadcasting obligations must be enforceable with teeth through a certification at license renewal time. Stations that declare that they "will not transmit, or even help other stations transmit, life-saving information in an emergency" should have their fitness to hold an FCC license formally reviewed.

The Commission should also bear in mind that among the greatest beneficiaries of multilingual emergency communications are first responders – as well as the taxpayers who underwrite their operations. The cost of rescuing and providing emergency health care is much less when the public has access to essential information in an emergency.

The 26 undersigned groups, representing thousands of consumers, people of color and other vulnerable groups, believe that the relief sought in the Petition is not burdensome. No elaborate new structure is needed: state EAS plans can easily be amended to incorporate reasonable methods of ensuring that life-saving information finds its way to the public in an emergency.

Therefore, the undersigned organizations respectfully urge the Commission to grant the Katrina Petition in its entirety, and do it now as the 10th anniversary and recollection of the wrath of Hurricane Katrina approaches.

Sincerely,

Asian Americans Advancing Justice (AAJC)
Asian Pacific American Labor Alliance
Asian Pacific American Institute for Congressional Studies (APAICS)
Consumer Action
Dialogue on Diversity
Hmong National Development, Inc.
The Japanese American Citizens League
Latinos in Tech Innovation & Social Media (#LATISM)
League of United Latin American Citizens (LULAC)
LGBT Technology Partnership and Institute
MANA, a Latina Organization
Multicultural Media, Telecom and Internet Council (MMTC)
NAACP
National Association of Multicultural Digital Entrepreneurs (NAMDE)
National Action Network
National Black Caucus of State Legislators (NBCSL)
National Coalition on Black Civic Participation and the Black Women's Roundtable
National Hispanic Caucus of State Legislators (NHCSL)
National Organization of Black Elected Legislative (NOBEL) Women
National Puerto Rican Chamber of Commerce
National Urban League
OCA – Asian Pacific American Advocates
Public Knowledge
Rainbow PUSH Coalition
The Center for Asian Pacific American Women
U.S. Black Chambers, Inc.

cc: Hon. Mignon Clyburn
Hon. Ajit Pai
Hon. Jessica Rosenworcel
Hon. Michael O'Rielly
Admiral David Simpson
Lisa Fowlkes

[The contact for this letter is MMTC President Emeritus and Senior Advisor David Honig; david@davidhonig.org and 202-669-4533.]