



**LPTV
SPECTRUM
RIGHTS
COALITION**

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Via ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Ex Parte Meeting Regarding GN Docket No. 12-268: Expanding the
Economic and Innovation Opportunities of Spectrum Through Incentive
Auctions; and, MB Docket No. 03-185.**

Dear Ms. Dortch:

Michael Gravino, Director of the LPTV Spectrum Rights Coalition, (the "Coalition"), submits the attached New York Times article from 1981 when the LPTV service was first started.

Respectfully submitted,

Mike Gravino, Director
LPTV Spectrum Rights Coalition

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LOW-POWER TV PROJECT IS DELAYED

By ERNEST HOLSENDOLPH, Special to the New York Times

Published: January 19, 1981

WASHINGTON, Jan. 18— The Federal Communications Commission's approval 10 days ago of a plan to allow hundreds of new low-power television stations has touched off an angry reaction from commercial and public broadcasting interests, possibly derailing the project.

The commission has responded to the complaints by extending the deadline for applications for the new stations to Feb. 17. The F.C.C. promised last year to promote the concept of low-power television, giving minorities and others greater access to television and furthering competition. The concept has not been formally approved, but the commission wants to let the new stations on the air on an interim basis. Low-power stations would broadcast with a weaker signal than regular stations and thus cover only a neighborhood, not a whole region.

Established television stations are wary of new competition from low-power stations, despite their modest size. The present stations fear that many operators would tie the new stations together by satellite and create new networks - a strategy the F.C.C. supports. Some large businesses (such as the Allstate insurance branch of Sears, Roebuck & Company) are seeking hundreds of the proposed ministations. F.C.C.'s Original Action

As a way to get low-power stations on the air quickly, the commission voted Jan. 8 to cut off the first wave of applications, effective last Friday. The F.C.C. said the applicants could then go ahead and put as many as 15 stations each on the air, even though the concept has not been formally approved.

The National Association of Broadcasters, the Corporation for Public Broadcasting, the ABC network and established stations immediately sent angry letters to the commission demanding an extension of the deadline so that current broadcasters could also apply for some of the new stations. After the complaints poured in, last Thursday the extension was announced.

The effect of the extension is to let broadcasters or other opponents block new stations besides applying for their own, according to commission staff members. The process could keep many proposed stations off the air indefinitely. While new stations that are unopposed could have gone on the air quickly, the filing of competing applications starts a process that could tie them up while each applicant's bid is studied.

Erwin G. Krasnow, general counsel of the N.A.B., wrote a letter dated the same day as the Jan. 8 vote, saying the commission should extend its deadline because it had not let present broadcasters know that they were qualified to apply for new stations themselves.

Threat of a Court Test

"N.A.B. therefore requests a 60-day postponement of the Jan. 16 cut-off date - which involved hundreds of frequencies that otherwise will become immune from potential competing applications by now eligible radio and television broadcasters," Mr. Krasnow said in his letter to the commission.

The Corporation for Public Broadcasting threatened to go to court. It asked that the commission instead go through the exhaustive process of compiling a table of frequency assignments for cities such as was done when television was originally authorized more than three decades ago.

The F.C.C.'s lawyers, noting the specter of litigation, advised the commissioners to extend the deadline one month as a compromise. All of them except Robert E. Lee voted for it in an informal poll.

Possible casualties of the new extension could include Community Television Inc., a proposed network of low-power stations across the South. It would have become the first TV network owned by blacks.

Andrew Schwartzman, director of the Media Access Project in Washington, said the low-power applicants would fight any attempts to tie up their plans with red tape. -

1981

ATLANTA, Jan. 18 (AP) - Turner Television Stations, a subsidiary of the Turner Broadcasting System, has filed applications with the Federal Communications Commission for the right to operate 25 lowpower television stations in 15 states and the District of Columbia.

Ted Turner, chairman, said, "The establishment of a network of low-power stations in cities across the country will provide an additional source of alternative programming for millions of television viewers."

The company said material for its proposed low-power network would consist of advertising-supported information and public affairs programming on a full-time basis. It would originate at Turner's broadcast facilities in Atlanta and elsewhere.

Distribution of programming to the proposed stations would be via satellite and conventional routing, the company said. The states in which Turner stations have been requested are Arizona, California, Connecticut, Florida, Illinois, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Rhode Island and Texas.