

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
 ) MB Docket No. 13-249  
Revitalization of the AM Radio Service )

FIRST REPORT AND ORDER, FURTHER NOTICE OF PROPOSED RULE MAKING, and NOTICE OF INQUIRY

COMMENTS OF FAMILY LIFE BROADCASTING SYSTEM

As the licensee of Station Class D WUFL (Facility ID No. 20629) licensed to serve Sterling Heights, Michigan (a portion of the Detroit metro area), Family Life Broadcasting System has the responsibility to serve the public interest, convenience and necessity of our service area, but can only do that between sunrise and sunset due to the station's daytime only Class D status. In the month of December, the month in which we write these comments, the station can be on the air only between 8:00 am until 5:00 pm, a total of nine hours out of twenty-four. This is very burdensome to those who listen to WUFL when it is on the air but cannot listen to the station on their way to work or on their way back to their residences. As a result, they have requested us to do anything possible so WUFL could broadcast from early morning when they arise, until late in the evening, when they go to sleep.

As a noncommercial broadcaster, our donor income relies on making an impact to our listeners that is felt and highly valued by them. Consequently, donations from this station are lower than what would be expected by its Cume, because its Time Spent Listening is lessened during most of the year. Also, we have not had adequate funding to purchase a full-time station. As a result, in 2012 we obtained W232CA (Facility ID No. 152374), an FM translator that is licensed to broadcast with a power of 99-watts. As can be seen in Exhibit A to these comments, the entire 1 mV/m contour of the licensed facility easily resides within the Primary Service Area (5.0 mV/m contour) of WUFL.

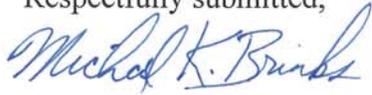
However, in order to comply with all of the requirements of § 74.1201(g) of the Commission's rules, upon acquisition of the translator we had to obtain special temporary authority to lower its power to 22 watts to ensure that its 1 mV/m contour would remain within the arbitrary 25-mile radius of the WUFL transmitter site. This has led to severe reception and public service issues, which allowing it to broadcast its licensed power would have overcome. As a result of hundreds of comments from WUFL's listeners, on June 26, 2013 we filed a request for a waiver of § 74.1201(g) of the Commission's Rules to allow us to rebroadcast WUFL 24-hours a day onto W232CA at the licensed power of 99-watts.

In its Revitalization of the AM Radio Service, the Commission (MB docket No. 13-249), proposes to modify § 74.1201(g) so that the coverage contour of a translator rebroadcasting an AM radio broadcast station as its primary station be contained within the greater of either (emphasis mine) the 2 mV/m daytime contour of the AM station or (emphasis mine) a 25-mile radius centered at the AM transmitter site, but allows the translator's 1 mV/m coverage contour to extend past the previous 25-mile limit as long as it does not extend beyond the 40-mile radius centered on the AM transmitter site. Our W232CA situation is an ideal illustration of the benefit of revising the 25-mile/2 mV/m rule from "and" to "or". As we pointed out in the June 26, 2013 waiver request, the purpose of our waiver is to enable W232CA to fill in (rather than extend) the predicted coverage of WUFL within its 2 mV/m contour, which surely is a more appropriate measure of its expected service area than an arbitrary 25-mile radius. But not only does the proposed modified Rule resolve our problem, it truly advances FCC Policy in that:

- The Commission premised its decision to allow AM stations to expand their service through FM translators upon its recognition that: "For decades, AM radio service has been an integral part of American life," that it "often offers the only service to listeners in a variety of circumstances," and that AM stations "provide unique, community responsive formats to distinguish themselves in an increasingly competitive media market." *Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations*, FCC 09-59, 24 FCC Rcd 9642 (2009) at ¶ 2. WUFL listeners crave the station's programming, which they consistently consider to be crucial to their lives.
- The Commission further recognized that the AM band's ability to serve local needs has been threatened by inherent technical limitations for which there is no easy solution including increasing electronic interference, the need to directionalize, and the inability to operate at night (exacerbated by the extension of Daylight Savings Time). *Id.*, at ¶ 3. As WUFL listeners overwhelmingly are frustrated by their inability to receive the station and its unique programming reliability during the day, and not at night.
- The FCC premised its restriction of translator coverage to within the lessor of the 2 mV/m contour or 25-mile radius from the primary station's transmitter site upon "ensur[ing] that fill-in cross-service translators are used in the AM station's core market area, rather than in a fringe area that may be part of or near another radio market." *Id.*, at ¶ 38. The Commission further explained: "Our decision here is intended to serve the limited purpose of allowing AM stations to fill in service voids, and not to expand service, even on a *de minimus* basis." *Id.*, at ¶ 38. As already noted and shown in Exhibit B of these comments, no attempt has been made to extend WUFL's coverage to fringe regions. Rather, the entire area in question lies well within not only WUFL's 2 mV/m contour, but also its 5 mV/m community contour, and therefore clearly is part of its core market areas.

There are probably many other Class D AM stations that are in a similar position as WUFL and the modified Rule on siting of FM Cross-Service fill-in translators will make a significant impact with all of those stations. The Commission should be commended on making this modification.

Respectfully submitted,

A handwritten signature in blue ink that reads "Michael K. Brinks". The signature is written in a cursive style with a large, stylized initial "M".

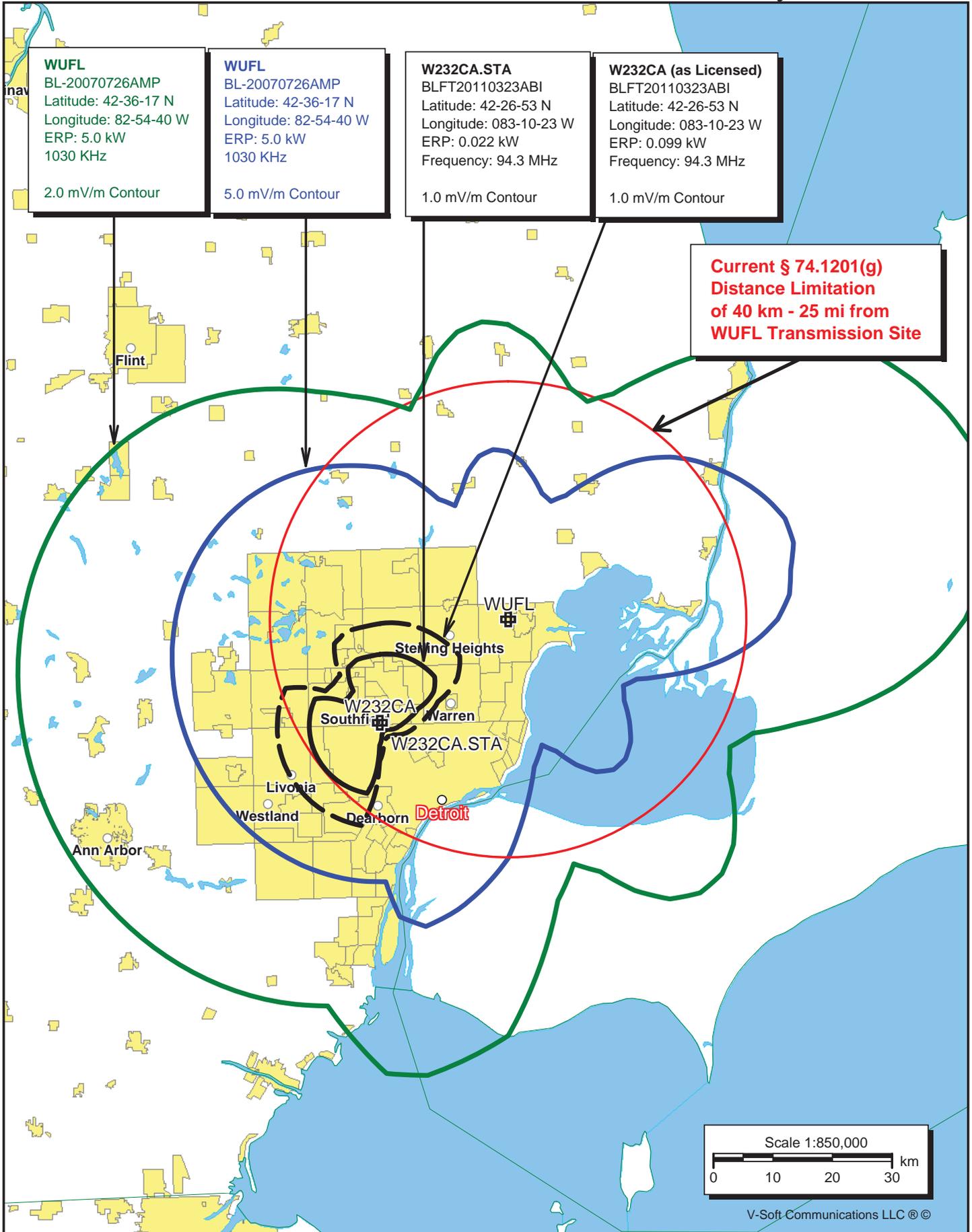
Michael K. Brinks

Director of Signal Development and FCC Compliance

Family Life Broadcasting System  
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# Exhibit A

## Licensed W232CA Outside Current Distance Limit, but Within WUFL Primary Service Contour



# Exhibit B

## Licensed W232CA Inside Proposed Distance Limit and Within WUFL Primary Service Contour

