

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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

REPLY COMMENTS OF RADIO LIVINGSTON, L.P.

Radio Livingston, L.P. here submits reply comments in response to the Commission's First Report and Order, Further Notice of Proposed Rule Making, and Notice of Inquiry, FCC 15-142, released on October 23, 2015. Radio Livingston, L.P. is licensee of WYSL(AM), Avon, NY (Facility ID 54665) and its FM Translator W221CL, Rochester, NY (Facility ID 106682).

Critical Hours Protections Should Be Relaxed

We support the proposed elimination (or reduction) of Critical Hours Protection to Class A stations. Under the present terms of its license, WYSL must reduce from 20 kW day power to 13.2 kW in critical hours, causing a loss of 2 mV/m primary service to a substantial portion of its coverage area during the prime radio listening periods of early morning and late afternoon. Much of the loss area falls within rural Allegany, Steuben, and Wyoming Counties. The power reduction supposedly protects the 0.1 mV/m groundwave contour of WHO, Des Moines, IA, a Class A station transmitting on 1040 kHz from a site 800 miles west of ours.

We have carefully considered the objections stated in Section I-B of the recent comments of "The AM Radio Preservation Alliance"; however, we are not convinced that a 0.1 mV/m field strength still provides satisfactory service in today's high RF noise environment. However, as a concession, we suggest the Commission revise the Critical Hours rules such that the 1 mV/m (or even the 0.5 mV/m contours) of co-channel Class A facilities are amply protected, and this reasonable compromise would still allow most co-channel Class B and D stations to improve their local daytime service.

Allow FM Translators To Use 3 kW IF Distance Separations

We encourage the Media Bureau to grant minor Intermediate Frequency Distance Separation waivers to FM translators, as proposed in the comments filed by Mark Humphrey on March 21, 2016. Any FM translator should be allowed to use the 10.6/10.8 MHz separations shown in 47 CFR Section 73.213(c)(1) for 3 kW Class A stations, rather than being held to the overly restrictive requirements of 47 CFR Section 73.207(b)(1)¹. We agree that the 3 kW separations suggested by Mr. Humphrey would retain an ample margin of protection to other FM facilities, and we question why the FM Class A power increase² approved by the Commission in 1989 should have had any bearing on the IF interference potential of FM translators, which operate with substantially less power than 3 kW.

¹ The 73.207 Class A distance separation requirements are intended for stations operating at 6 kW/100 meters or the equivalent, and have been applied to FM translators by default.

² MM Docket 88-375

Please note that our FM translator W221CL is presently limited to 99 watts ERP because of a slight IF short-spacing to WLGZ-FM, Webster, NY (Facility ID 34818); the distance separation to this Class A station is 8.22 kilometers, but Section 73.207 requires at least 10 kilometers. However, W221CL could increase to as much as 250 watts at its present site in the Pinnacle Hill antenna farm under such a waiver, as Section 73.213 allows a minimum spacing of just 8 kilometers. This additional coverage would reduce the need for our company to acquire additional FM translators in Monroe County, where the majority of our listeners work or reside.

Respectfully submitted on April 18, 2016,

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