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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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September 11, 1998

Magalie Roman Salas, Secretary
Federal Communications Commission
Washington, DC 20554

Re: **Report of Ex Parte Communication**
RM-9260 and MM Docket No. 97-3234,
GC Docket No. 92-52, and GEN Docket No. 90-264 /

Dear Ms. Salas:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, this is to report that on behalf of the **Community Broadcasters Association** ("CBA"), Sherwin Grossman, President of CBA, and I made oral *ex parte* presentations on **September 10, 1998**, with respect to the above-referenced proceedings to the following persons:

Susan Fox, Senior Legal Advisor, **Office of Chairman Kennard**
Jane E. Mago, Senior Legal Advisor, **Office of Commissioner Powell**

CBA prompt action on RM-9260 and requested that a Notice of Proposed Rule Making be issued no later than next month. CBA further urged that applications by digital TV stations seeking to increase power to achieve signal coverage beyond replication of their NTSC service area not be permitted to displace Class A stations and that such power increases could be accommodated more easily after the return of NTSC channels to the Commission.

With respect to the above-referenced docket numbers, which pertain to competitive bidding in the Mass Media services, CBA called the Commission's attention to the severe hardship that will be imposed on low power TV stations licensed to minority group members and small businesses if they are forced to bid competitively against major, well-financed group owners for new channels after being displaced by digital TV stations. CBA urged the Commission to delay

Ms. Magalie Roman Salas
September 11, 1998
Page 2

setting a date for filing Form 175 with respect to mutually exclusive displacement applications, to allow sufficient time for parties to work out engineering settlements and for CBA to propose alternative approaches, including possibly seeking legislative relief.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Tannenwald', written in a cursive style.

Peter Tannenwald
Counsel for the Community
Broadcasters Association

cc: Susan Fox, Esq. (Rm. 814, 1919 M St.)
Jane E. Mago, Esq. (Rm. 822, 1919 M St.)
Mr. Sherwin Grossman