

BEFORE THE
Federal Communications Commission

In the Matter of)
)
)

Amendment of Part 73 of the)
Commission's Rules to Permit)
the Introduction of Digital Audio)
Broadcasting in the AM)
and FM Broadcast Services)
)

RM No. 9395

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

To: The Commission

**COMMENTS OF HEFTEL BROADCASTING CORPORATION IN SUPPORT OF
USA DIGITAL RADIO PETITION FOR RULEMAKING**

Heftel Broadcasting Corporation ("Heftel"), by its counsel, herewith submits its comments in the above-captioned proceeding in support of the petition for rulemaking filed by USA Digital Radio ("USADR"). Heftel is a publicly-held corporation which is the largest operator of Spanish-language radio broadcast stations in the United States. Heftel, through its subsidiaries, owns and operates two or more Spanish-language radio stations in the following markets: New York, Los Angeles, Chicago, Miami, San Antonio, Houston, Dallas-Fort Worth, El Paso, McAllen/Harlingen, Texas, San Diego, San Francisco, and Las Vegas.

Heftel believes that the public interest is served by introducing digital audio broadcasting ("DAB") in the United States. Not only will DAB allow radio broadcasters to provide listeners with higher quality service through improved audio fidelity and enhanced signal robustness, it will help maintain the competitiveness of broadcasters in a market that includes DARS, cable and satellite delivery of digital audio, and Internet audio. The improved sound fidelity will provide listeners virtual CD quality sound. AM stations also will benefit by being able to provide sound quality equivalent to today's FM analog signal. Further, DAB will provide enhanced signal robustness which will translate into greater signal quality; resistance to interference; and improved reception at the edges. By allowing radio broadcasters to compete in the digital arena, Heftel will be able to continue to provide the local community service its listeners have come to expect.

Heftel also supports USADR's claim that In-Band, On-Channel ("IBOC") technology is the best means to implement DAB because it allows radio broadcasters to simultaneously transmit the same programming in both an analog and digital mode within the station's existing frequency allocation. IBOC's other advantages include: (1) allowing stations to upgrade to digital without changing their dial position; (2) stations will be able to provide service to analog listeners during the transition period to digital; and (3) the Commission need not allot new frequencies so there will be no need to reclaim spectrum or for an analog "sunset." To ensure the effectiveness of this system, Heftel is convinced that the IBOC/DAB system must apply simultaneously to both AM and FM radio. Otherwise, listeners would have to choose between incompatible AM and FM systems or purchase one receiver for FM radio and another for AM radio.

Further, Heftel believes that the Commission should seek comment on IBOC/DAB as the United States' transmission standard. By selecting a standard/universal technology, the Commission provides equipment manufacturers, broadcasters, and consumers with the certainty required to make the change from analog to digital. A standard ensures the compatibility between broadcast and reception. Heftel would hesitate to invest in a DAB system unless it was sure that a particular DAB system was universal, and that its listeners would have compatible receivers. There is little question that the designation of a standard would accelerate the acceptance of DAB.

Since DAB will only add to the current intricate interference standards in the AM and FM bands, Heftel asserts the Commission should seek comment on the new emission masks proposed by USADR in its petition. These emission masks will help during the transition to digital radio and control unwanted interference in a digital world. Heftel realizes that minimizing interference is only a portion of what should be a comprehensive plan for transitioning to digital broadcasting. Any proposed transition should allow for flexibility, yet provide incentives for broadcasters and listeners to upgrade their equipment. For instance, establishing a timetable for eliminating protection of analog signals from interference will encourage broadcasters, listeners and equipment manufacturers to upgrade by a date certain.

CONCLUSION

For the foregoing reasons, Heftel urges the Commission to grant the USADR petition and release a Notice of Proposed Rulemaking with all due speed. Expedited Commission action is necessary to ensure that radio broadcasting remains a viable service into the new millennium.

Respectfully submitted

HEFTEL BROADCASTING CORPORATION

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