

From: "Leming, Audrey" <ALeming@DestinationTravel.com>
To: K1DOM.K1PO1(FCCINFO)
Date: Wed, Jan 27, 1999 7:28 PM
Subject: ?

9/1/2004

EX PARTE OR LATE FILED

January 27, 1999

Dear Sirs:

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, I believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged by its merits which are reflected in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the Roaring Fork Valley (where KDNK operates), is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.

For those of us who live in this valley, to lose KDNK would be like losing a close friend...it truly adds to the quality of life and one's listening pleasure! Do the right thing.

Sincerely,

Audrey Leming
20 year resident of the Roaring Fork Valley

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FEB - 3 1999

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From: "Stu Huck" <stuhuck@sopris.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Wed, Jan 27, 1999 11:03 AM
Subject: Public Radio Band

EX PARTE OR LATE FILED

9/1/2014

It is my understanding that the FCC is looking at new ways to go about awarding license on the public radio band. The choices are lottery, wieghted lottery and merit.
Merit can be the only choice here. This is the public band!

Here in the Roaring Fork Valley in western Colorado, we have four parties vieing for 1 place on the dial. They are; a religious organization from Florida, a party from another part of the state who warehouses licenses, a Denver station who seeks to create a state-wide network by destroying local public radio, and the local county government seeking to keep the airwaves in the hands of the people who actually listen and are served by them. A lottery system in this case could lead to disaster. Even a wieghted lottery gives to much of a chance to those who would destroy local public radio. Merit is the only choice!

Remember that the airwaves belong to the people. The only way that you can determine if the people are going to be served is through a merit system. Otherwise, a license could be awarded to a party who has no intent of serving the people. It seems to me the only ones being served by a lottery system are the FCC employees who would have much less work to do if they only had to put names in a hat to get rid of a pile of paper on the desk, and those who apply for licenses without merit.

Please. Don't give away the public band to those who don't deserve it. A merit system can be the only way to determine who gets licenses.

Thank you,

Stuart Huck
P.O. Box 907
Basalt, CO 81621

(970) 927-9770

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYStuart Huck rec'd 2
CLAUDE

From: news <news@aspentimes.com>
 To: "Fed. Comm. Commission" <FCCInfo@fcc.gov>
 Date: Wed, Jan 27, 1999 12:19 PM
 Subject: RE: lottery proposal

EX PARTE OR LATE FILED

9/1/234

January 25, 1999
 Federal Communications Commission
 FCCInfo@fcc.gov

Dear Sirs: I am writing to sincerely urge the FCC not to employ a lottery system in the selection of license ownership for public radio broadcast signals.

The FCC is charged with the responsibility of managing and controlling communications in the United States, an awesome task that has, over the years, been handled with professional skill. It would be extremely sad if you were to replace your years of expertise in your special field with a system that is little more than a throw of the dice.

Please do not take such an unprofessional route.

I am very concerned about your proposed lottery because two excellent FM stations, two community-based stations that are part of public radio, are facing a license renewal. Those stations are KAJX in Aspen and KDNK in Carbondale. Two other groups have applied for the signals that are vital to our local stations. The two challenging stations would not even be located in our area but would simply feed whatever programming they selected to us from Denver.

Because of the mountainous terrain here and the rural nature of our area, only a limited number of AM and FM stations can be heard during daylight hours. I depend a great deal on KAJX and KDNK for vital local news and information and for discussions about pressing local issues, as well as non-commercial entertainment. I would consider it a shameless act on your part if I, and thousands of other local listeners, were to be denied access to those stations on the basis of a random lottery.

I can appreciate the fact that your agency may be facing a huge workload, but I firmly believe you would be doing a serious disservice to the mission and reputation of the FCC if you were to attempt to ease the burden you face by introducing a lottery.

Both KAJX and KDNK deserve to remain on the air on the basis of merit and community service alone. Those merits and services deserve to be discussed in a forum that includes FCC representatives. Those who are challenging for the signals here have nothing to add to our communities. At best they could only diminish a sense of community that KAJX and KDNK have contributed to, in a most positive manner, over the years.

Once again, I respectfully urge you to reject the proposed lottery system.

Sincerely,
 Gaylord T. Guenin
 Box 236
 Woody Creek, CO 81656

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1/27/99
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EX PARTE OR LATE FILED

From: kdnk radio <kdnk@rof.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Wed, Jan 27, 1999 2:18 AM
Subject: DON'T USE THE LOTTERY!!

97-234

>Date: Mon, 25 Jan 1999 21:42:17 -0700
>From: D Seymour <dseymour@rof.net>
>Reply-To: dseymour@rof.net
>To: fccinfo@fcc.gov, kdnk@rof.net
>Subject: DON'T USE THE LOTTERY!!
>X-UIDL: fc25322404f74e87cc11c762327a140f

>
> I am writing regarding the process by which the FCC awards broadcast
>licenses. Although congress has directed the FCC to reduce its backlog
>of applications in a cost-effective manner, I believe the FCC should
>maintain the process of comparative hearings. This allows each entity
>to be judged by its merits which are reflected in the current criteria
>established by the FCC. KDNK is a COMMUNITY, public radio station. the
>diverse community of the Roaring Fork Valley(where KDNK operates), is
>reflected in KDNK's programming. By adopting a lottery system, an
>outside entity stands to take control of community airwaves without an
>understanding of the nature of the community in which it operates.
> KDNK has been broadcasting for 16 years; every year its membership
>grows and evolves as does the community it mirrors. By maintaining the
>process of comparative hearings, stations like KDNK will continue to be
>established everywhere, and awarded licenses based on their value to the
>communities they will serve.

> Do the right thing.
> Sincerely,
> Frank A. and Seymour Seymour/Rudecoff
> 17 year valley residents.

> PS: Although the above is a form letter, we believe that its
>message is sincere and very representative of the needs of our valley
>community. This radio station is a mainstay of the valley. Thanks for
>your time.

>
>
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BRADUDE

From: david carroll <dcarroll@rof.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Tue, Jan 26, 1999 9:34 PM
Subject: lottery NO!

EX PARTE OR LATE FILED

9/11-204

Sirs:

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, I believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged by its merits which are reflected in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the Roaring Fork Valley (where KDNK operates), is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.

Do the right thing.

Sincerely,

david carroll

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No. of Copies rec'd 2
LEA/BUDE

From: Dawn Greer <DawnGreer@compuserve.com>
To: "fccinfo@fcc.gov" <fccinfo@fcc.gov>
Date: Tue, Jan 26, 1999 9:29 PM
Subject: Lottery Licensing has no merits

97-234

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, I believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged by its merits which are reflected in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the Roaring Fork Valley (where KDNK operates), is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

EX PARTE OR LATE FILED

KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.

Do the right thing.

Sincerely,

Dawn Greer
 member KDNK
 PO Box 6418
 Snowmass Village, CO 81615

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Handwritten: *2*
 Stamp: **ENCLOSURE**

From: "NancyQ" <ugogirl@sopris.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Mon, Jan 18, 1999 8:46 PM
Subject: ?

EX PARTE OR LATE FILED

97-234

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, I believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged by its merits which are reflected in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the Roaring Fork Valley (where KDNK operates) is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.

Do the right thing.

Sincerely,

Nancy Q. Festa
DJ
Member of the Board
Member of the community of the Roaring Fork Valley

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L E A B C D E

From: "Lynette O'Kane" <le@rof.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Thu, Jan 28, 1999 3:50 PM
Subject: Don't use lottery

EX PARTE OR LATE FILED

Handwritten signature/initials

Dear Commissioners,

I share your deep concern about the situation that causes you to have to re-evaluate the manner in which you regulate the Non-Commercial Educational radio frequencies. There is definite merit in reducing costly procedures. The wisdom of the Balanced Budget Act, while not perfect, should be the concern of every citizen. On the other hand, your mission to wisely govern one of the most fundamental resources of FREEDOM that still exists, is too important to commit to simple chance. No matter what provisions are made for a fair lottery, in the end your commission relinquishes its duty and responsibility. Please refrain from abdicating your important responsibilities by using a lottery to choose among applicants for NEC frequencies.

Having thoroughly read the report issued at the FCC website by Commissioners Furchtgott-Roth and Tristani, I would like to quickly outline several issues. I am a consumer of "Public" frequency media. I believe that it survives as one of the truly DEMOCRATIC institutions left in America. This implies that all the people in the USA have access to the programming on these frequencies. It means in many, many cases that these people also have access to CREATING this programming. I am giving you the perspective of one of these people.

Issues that govern the RESOURCE :

-There seems to be NO need to allow applications for frequencies that compete with authorized, operating frequencies. In other words, if a frequency is either being used, or the signal will interfere with one that is being used, then why place yourself in the position of determining for a second time who should use it?

- Based on your own criteria for emphasising DIVERSITY, and respecting the fact that you are upholding the Constitution and its ammendments, the highest priority should be given to NON-RELIGIOUS, NON-POLITICAL, NON-RACIAL, NON-HOMOGENEOUS ETHNICITY uses.

-Rather than dwell on the composition of the Board of Directors or the character of the ownership of a proposed station, why not focus on the actual source of REVENUE. If a station is under -written to a significant extent by skin-head militants, than it may not be as worthy for public consumption as one that demonstrates a diverse membership revenue base.

- To protect the finite resource of NEC radio waves the FCC must monitor the use of them. This means a periodic review of those stations that have been sanctioned to use them. The process of MONITORING and the process of DISCOVERY (verifying that the information is correct) can be cumbersome and expensive, but very necessary. Why not use the offices of LOCALLY ELECTED GOVERNMENTAL representatives to provide the documentation necessary for this proof.

- Although the same question remains moot within the other regulatory

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agencies such as the FDA, BLM, and the USFS, why should radio licenses be TRANSFERRABLE? The FCC could eliminate much redundant procedure and reduce their liability by requiring frequencies to be used only by applicants. The use of a NEC frequency should NOT be transferrable.

- Why should a STATEWIDE network be deemed to be an advantage to the public? The commercial bands are doing a fine job of providing identical programming to vast areas. The NCE frequencies should be utilized for local COMMUNITY radio. Call it INTER-ACTIVE RADIO if you like. The state wide criteria should be struck from your proposed list.

- The NCE frequencies are NOT available for commercial use. This includes "small business." If "small business" under the Flexibility rule" is given advantage in the commercial spectrum, fine. NO FOR PROFIT BUSINESS belongs in the NCE spectrum.

- Locally operated radio stations broadcasting on NCE frequencies should be represented on the Federal Communications Commission. A listener, board member, staff person, or volunteer of a small community radio station should be on the FCC in order to bring the genuine GRASSROOTS perspective necessary for good decisions.

Thank you for undertaking your jobs responsibly.

Sincerely,

Jock Jacober

From: Jane Erb <jerb@sopris.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Thu, Jan 28, 1999 12:33 PM
Subject: Lottery

EX PARTE OR LATE FILED

AP, 2/3/99

We wish our two voices to be heard in the matter of whether or not the FCC should use a lottery to determine who should be awarded translator sites.

Gambling, which is what a lottery is, seems to take into account nothing except the very real problem of the FCC overload. There is little fairness that we can see to commend this course of action - it in no way takes into account whether or not a station is serving its community, whether the new application for a translator site is an attempt at a money grab or a very real endeavor to bring better quality radio to a specific area.

We encourage you, while realizing that it will take longer to sort through and make decisions, to make these important decisions on merit rather than a figurative gamble or coin toss. It appears to us that lotteries can be and are fair only when all the participants start out completely equal, and this simply cannot be the case of applications for translator sites.

Very sincerely yours,

Jane Erb, Chairman, Board of Directors
KAJX, Aspen Public Radio

Gairt Mauerhoff, Director of Classical Music
KAJX, Aspen Public Radio

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2

EX PARTE OR LATE FILED

From: kdnk radio <kdnk@rof.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Thu, Jan 28, 1999 3:07 PM
Subject: lottery

9/1/2014

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, i believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the roaring fork valley (where KDNK operates), is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.
sincerely, Katrine-mari

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Handwritten: *2*

From: "Laura Van Dyne" <lvandyne@sopris.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Thu, Jan 28, 1999 12:08 PM
Subject: Lottery System in Western Colorado

I am writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, I believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged by its merits which are reflected in the current criteria established by the FCC.

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KDNK has been broadcasting for 16 years; every year its membership grows and evolves as does the community it mirrors. By maintaining the process of comparative hearings, stations like KDNK will continue to be established everywhere, and be awarded licenses based on their value to the communities they will serve.

Please, do the right thing.

Sincerely,

Laura Van Dyne
6283 County Road 100
Carbondale, Colorado 81623
(970) 963-3745

Federal Communications Commission
1919 M Street N.W.
Washington DC 20554

e-mail:

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OFFICE OF THE SECRETARY

2
2009

From: JPS <jps@rof.net>
To: K1DOM.K1PO1(FCCINFO)
Date: Thu, Jan 28, 1999 4:12 PM
Subject: Broadcast License Lottery

97-234

We are writing regarding the process by which the FCC awards broadcast licenses. Although Congress has directed the FCC to reduce its backlog of applications in a cost-effective manner, we believe the FCC should maintain the process of comparative hearings. This allows each entity to be judged on its merits which are reflected in the current criteria established by the FCC. KDNK is a COMMUNITY, public radio station. The diverse community of the Roaring Fork Valley (where KDNK operates), is reflected in KDNK's programming. By adopting a lottery system, an outside entity stands to take control of community airwaves without an understanding of the nature of the community in which it operates.

EX PARTE OR LATE FILED

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Do the right thing.

Sincerely,
Phillip and Joan Schultz, Basalt, Colorado

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