

February 23, 1999

Submitted to: FCC

As sole owner and operator of a 500 watt day/23 watt night AM radio station, licensed

to a small market community of approximately 6,000 people in a county with a population of approximately 30,000 people, which has experienced an economic decline in the past 8 to 10 years due to the restrictions placed on the use of the coal mined in this area as a result of the Environmental Protection Agency (EPA) clean-air act, our community has not enjoyed the so-called strong economy claimed by many others throughout the country in recent years.

I oppose the thought of creating a new micro and/or low power FM radio service

for many reasons. My chief reasons for opposition include:

1. The negative financial implications to existing small market broadcasters, many of which are AM daytime stations with ridiculously low night power authorizations who rely on the LOCAL merchants for the advertising revenues to operate their stations and who, for the most part are no longer even considered as advertising sources for national and regional advertising agencies do to the extremely strong growth of the FM band service. The creation of micro/low-power FM will result in DIRECT competition for most of these community AM stations, in that the micro/low-power FM's will be going to the same local merchants as the AM's to sell advertising for revenue; in most cases the low power FM's will be in a position to sell their advertising at a much lower rate due to their extremely low start-up and operational costs.

2. Creation of low-power/micro FM service is another attack on AM broadcasters throughout the country, much the same as Docket 80-90 in the early-mid 1980's was and the AM stereo fiasco in the 1980's.

3. The FCC Chairman says he wants the low-power/micro FM service for minority purposes. Has anyone at the FCC considered the number of minority broadcasters who own small, low power AM stations who will be effected adversely? There are many minority owned AM stations around the country who will be negatively impacted by the creation of Low power FM.

4. Conjested FM airwaves. The proposed elimination of adjacent channel protections will have a negative impact on the FM band. The FM band will in the end sound similar to CB radio when all is said and done.

5. FCC Enforcement. The FCC is already understaffed and unable to transact business in a timely fasion for existing broadcasters, the additional workload through the creation of low power/micro radio will only increase the burden. Several of the FCC field offices have already closed

in recent years as well. Pre-existing broadcasters will suffer when transacting business with the FCC if low-power FM is created.

6. This is a free-enterprise system in America, and the FCC should not in effect "give-away" radio spectrum as proposed for low power FM service simply because a group of people can't, for whatever reason, attain the necessary financing to follow the long standing FCC process which existing broadcasters have followed for 70 years to enter the radio business. In effect, if created, the FCC will be guilty of discrimination and favortism against many of the existing broadcasters, particularly the small AM broadcasters in small markets who likewise are seeking relief

from the the FCC by requesting rule changes to allow them fill-in service using FM translators (RM-9419).

7. There are many mechanisims in place such as the Small Business Administration (SBA), many minority loan and grant sources, etc., who

specialize in offering financing to minorities desiring to enter in any business, including radio. Minorities desiring to own and operate a radio station should pursue those avenues to attain assistance in having their own radio station rather than the FCC creating such as tragedy as low power/micro radio.

Small communities can financially support only so many radio stations. The FCC

must consider the financial implications upon existing radio stations if low power/micro radio is allowed. How many existing stations will be hendered financially? How many will cease operation? Since the enactment of the Telecom Act of 1996 and the resulting consolidation, the economies of scale have shifted to the new FCC sanctioned radio monopolies while the independently owned stand-alone stations (primarily AM's) have suffered and continue to suffer. The number of AM station's going dark continues to increase. In fact today there are as many AM's in opeartion as there were in October 1963 and the number of AM's opeating continues to go backward while continues to grow by the hundreds annually.

I strongly urge the FCC to deny the proposal for creating low power or micro FM service.

The proposed ownership limitation preventing existing broadcasters fromn owning a low power FM station is discriminatory in nature and can probably be overturned in federal court as well. If enacted- all daytime only AM stations should be allowed first opportunity for new low-power FM service and there should also be authorization for simulcasting on low power FM service.

The FCC should first adopt the proposals of RM 9419 first before creating low power-micro service.

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