

Comment on lpfm proposal No. MM99-25

I would like to first say thank you to the FCC for taking the time and resources to evaluate the need for this service. It is very clear in any radio market with a quick click of the dial, the great need for an lpfm service. The current sounds of today's commercial station are one of the same 15 songs played every two hours and the same commercials played over and over again. It does not matter where you travel to, they all sound the same. These stations are owned by one large media company and its growing every day. Most full power commercial stations idea of public affairs programming is a 30 minute program running on Sunday morning at 5:30 a.m. The FM broadcast band could be much better utilized in the public interest. Because of the amount of stations owned by one company in a single market, the ownership of radio stations by single individuals, small companies and minorities has dropped. This severely limits the quality of programming one can receive in a given area. Below are some suggestions how an lpfm service might be established and some possible rules for operation.

A third class of microradio lpfm license is imperative. The power limit contained in the proposal for this service is ideal for microradio station operation. Because of the low cost of creating such a station, the need for small groups and individuals with a limited budget would be met. The microradio service is also ideal where a limited coverage area is acceptable such as small towns or camp grounds. Failing to create a microradio service would not be in keeping with the critical need for this proposal. It is small groups and individuals who seek this outlet and it is a vital part of the proposal. Below you will find some suggestions on how this microradio service would fit in with the other two classes of lpfm licenses.

1 Should lpfm stations be commercial or non-commercial only?

All three classes of lpfm license should have the opportunity to exist as commercial stations. An lp1-10 or lp100 station running in an urban environment would be able to support itself with local advertisers, who would be located within the coverage area of the station. These would be smaller businesses that would not have the dollars to spend with a full power station or have the need for such broad coverage. The lpfm stations would provide an advertising outlet for such businesses, which could be done without loss of revenue to the full power broadcasters. Not allowing commercial lpfm stations will prevent first time groups and individuals from entering the broadcasting market who wish to have an lpfm station as a small business. It also prevents minorities from owning an lpfm station for this purpose. This is not in the public interest.

2 What interference protection should full power stations receive?

The Fcc should set the minimum requirements to protect full power

stations but observing the need for protection of the FM spectrum from harmful interference, thereby allowing everyone to be heard. These minimum requirements should include the smallest possible separation between stations on the dial and the geographic location of their transmitters. It would be acceptable to assign a frequency to an lpfm station where it would expect interference in 10 to 15 percent of its coverage area. These measures would insure more lpfm stations to be licensed in a given area.

3 What classes of license should be available?

There should be three classes of lpfm license available. The lp-1000 should be a primary service class license along with full power stations. The lp-100 should be a secondary class. The lp1-10 license should be in a third class with no priorities over other broadcast services. The lp1000 license should be regulated by all full power radio station broadcast rules. By establishing a second and third class of license, these smaller stations should be exempt from some of the rules governing broadcast radio stations such as EASE requirements. The nature of the smaller size and coverage area of these stations and consideration to the cost of EASE equipment negates the need for EASE capability. Perhaps the station could be required to run an announcement once an hour stating that they are not able to provide EASE service, and what that means to their listeners. They would instruct the audience to tune in full power stations if there is a need for emergency information. We must insure that the rules are not an undue hardship to the lp1-10 and the lp100 stations due to excessive fees or mounds of paper work. A careful review of the rules governing these lpfm stations is needed because of their smaller size and operating budgets.

4 Should call letters be different for lpfm stations?

yes, the lp1-10 and the lp100 should be assigned a distinctly different call sign such as, "wf971". This would serve as a way for listeners to know they are listening to an lpfm station with a limited coverage area. The lpfm station would still identify once an hour with its call sign and location. However, the lp1000 station should be assigned call letters like those of the full power stations, since they are regulated by all broadcast rules governing full power broadcast service, and they have a primary class license.

5 What part of the FM dial should lpfm stations be located?

Lpfm stations should be located anywhere there is available spectrum on the dial. Non-commercial stations should also be placed in all available FM broadcast band spectrum. This would allow for non-commercial stations to be licensed in areas of the country where the lower portion of the FM band is already full. The lower portion of the FM band from 92MHZ and below should also be reserved for non-commercial lpfm stations along with full power non-commercial broadcasters.

6 Should lpfm stations be allowed to use auxiliary frequencies?

Yes, they should be able to use these for remote broadcasts and possible STL usage. Utilization of these services should not be different for these broadcasters. Lpfm stations should have access to other radio services to better their operation as needed.

7 Should lpfm stations be used as translators or boosters?

No, this would not be in the public interest. Lpfm stations should not be used to boost or extend coverage of an existing full power broadcaster, nor should their primary use be to boost or extend the coverage of another lpfm station. Just rebroadcasting other stations' programming would not allow for diverse voices to be heard and would not be in keeping with the proposal. Each lpfm station should originate its own programming for at least half of its broadcast day.

8 Should lpfm stations have priority over translators and boosters?

Yes they should have full priority over new translators and boosters. However, they should be secondary to existing translators and boosters since these services are already on the air. This would cover the lp-100 and the lp-1000 classes only.

9 What priorities should the microradio lp1-10 class of license have?

The lp1-10 class should be secondary to all other existing and new services to the Fm band including the lp100 and the lp1000 classes of license. If an lp1-10 station is broadcasting on a frequency that is requested by any existing or new service of a higher class license, the lp1-10 station must up grade to a equal or higher class license or move to another available frequency. If they are unable to relocate on another available frequency, they must discontinue operation upon written notification of future use of their frequency by a higher class licensed station. However, the lp1-10 station must have priority to upgrade its class of license and increase its power before authorization is given to another station for use of the frequency. For example, If an lp1-10 station is broadcasting on a frequency of 97.1MHZ and a full power station requests authorization to use this frequency, for a translator or booster, then the lp1-10 station must have priority to upgrade their license and increase power to the lp100 class. This will insure that the lp1-10 station is not kicked off the air without a chance to upgrade and improve its service. The lp1-10 station should only receive interference protection from another lp1-10 station. Due to the very limited coverage area of microradio stations having any priority over other broadcast services, remaining at their current third class of license would result in fragmenting the FM dial and inefficient use of the spectrum.

10 Should microradio lp1-10 stations be allowed to use non-type accepted transmitters?

No, this could result in harmful interference to other broadcast services, aircraft and the public safety bands. Used type-accepted equipment is readily available at lower cost than ever. This will help to insure proper operation of an lpfm station. With the passage of this proposal, we will probably find the creation of lower cost type-accepted lpfm transmitting equipment.

11 Who should be able to own an lpfm station?

Individuals, community groups, churches and small businesses may own an lpfm station. No media corporation or individual that currently holds any other broadcast station license may own an lpfm station. No cable company, newspaper or any of their other companies or subsidiaries may own an lpfm station. This will insure that opportunities for individuals, community groups, churches and small businesses are available in broadcasting. The opportunity to have a radio station should not be determined by who has the deepest pockets. To limit ownership of lpfm stations to educational institutions only would not serve to give a community group, church or individual a voice and opportunity to own a radio station. This would not be in keeping with the critical need for this proposal.

12 Should an unlicensed radio station operator receive an lpfm license?

Yes, only if the unlicensed station is off the air or if the operator stopped broadcasting when notified of their violation of the rules. Shutting down the station after notification would show attempted compliance with the rules. If at least five years have passed since the date of a violation where a fine was ordered, then they are eligible. If any injunctions were sought to stop the operator from broadcasting, then they are not eligible for an lpfm license. To say that anyone who ran an unlicensed radio station should not receive an lpfm license would not be in keeping with the need for this proposal. Some operators were broadcasting without a license because they had no outlet for their programming. They did not have a voice. This needs to be considered carefully when evaluating this issue.

13 How much time will be allowed to get the station on the air?

The times allowed mentioned in the proposal are ideal for these types of stations.

14 Can the construction permit be transferred or sold?

No, this would not be in keeping with the proposal. It would allow trafficking in construction permits. If you do not get your station on the air after the appropriate time or after possible

extensions have been granted, then you would lose your permit. Your permit could be awarded to someone else.

15 How long can a group or individual keep their license?

For the lp1-10 and the lp100 license, the renewal period should occur every five years. If the station is serving the public interest, then they should be able to keep their license and continue running their successful small business. They should not be forced to lose it. What would become of the station and its employees? If access is provided to the public as radio should always do, then the need to limit the time a group or individual holds a license would not be in the public interest. The lp1000 class license should have the same renewal process as a full power station because this is a primary class license.

16 How many stations may a group or individual own?

It is in the public interest to limit the number to just one station in a single market. This will insure that more groups and individuals have an opportunity to own a station. It will also insure more diverse voices on the air. The total number of stations owned by one group or individual should be limited to five nation wide. This would allow a small business to expand their broadcasting enterprise and also allow a group or church to have a voice in different parts of the country.

17 How do I apply for an lpfm license?

The process to apply for an lpfm license must be quick and efficient. An online electronic filing process with an available frequency database would be ideal. This will insure that the process is not an undue hardship to small groups or individuals seeking a license. The cost of filing for and receiving an lpfm license must be kept down due to the limited budgets of the applicants. A stream-lined application process will be easier for the applicants and the FCC alike.

18 How will lpfm licenses be awarded?

The licenses should be awarded on the basis of a filing window. Applicants will have a limited amount of days to file their applications. Licenses would be awarded based on the date and time of applications being received and available spectrum in the applicants location. If this is found to be unacceptable, then a lottery system must be used. This could be used in awarding licenses in both first time filings and mutual exclusivity applications. The use of auctions for awarding lpfm licenses are unacceptable. Auctions would allow for the person or group with the deepest pockets to receive a license. For example, a large church and a small community group apply for a license on the one available frequency in their area. In the case of an auction, the church would be able to win the license due to its vast budget. This would not be in keeping with the need for diverse voices to be

heard. In some parts of the country there are a lot of churches with large budgets that would like to have a radio station. This fine city of Nashville is such a place. With the awarding of licenses based on available income, small groups or individuals who seek an lpfm license would be eliminated.

19 National Association of Broadcasters (NAB) and corporate media opposition, what does it really mean?

Its very clear by the comments filed from the NAB and the corporate media world, they are very afraid of this proposal and its possible implications to the threat of their monopoly on the radio spectrum.

This proposal is critical for the public having voices in their communities. The cost factor of having a broadcast license has placed this goal out of reach for community groups, churches and individuals. It is time for the public to demand the use of their public airwaves. The NAB and corporate media currently control the broadcast airwaves by driving up the cost of either buying or creating a radio station. This is very clear by the amount of consolidation that the corporate media has gone through in the last three years. More and more stations are owned by one company and they want the ability to own more. When the public loses the ability to access their airwaves, this is a very dangerous situation. When only a few people control the ability to have a voice, this is a threat to democracy and the freedoms of our fine country. The NAB and the corporate media do not want to lose control of their monopoly. This is evident by their direct opposition to this proposal and all its components. They try to discredit the proposal by saying the spectrum is already full or this will cause harmful interference to existing broadcasters. This is nothing more then a small group of corporate media giants trying to maintain its control of the public airwaves.

20 Final remarks

In closing I would like to say thank you again to the FCC for seriously evaluating this proposal. I believe as many others do that an lpfm service is long overdue. I hope that the FCC will pass this proposal and all its components. To create a service such as the lp1000 only or limit all lpfm stations to educational institutions would not solve the problem of public access to our airwaves. We must have the opportunity to have our voices heard. We also must have the opportunity to create a small business through the mechanism of radio using our system of free enterprise.

I know the opposition to this proposal is great, but you the FCC must do what is in the public interest and what is right. If the NAB and the corporate media world are successful in defeating this proposal, the people will view the FCC as nothing more than a strong arm for these media giants. In that case, we all lose. Please show the public that government is still by, for and of the people. Freedom of the airwaves belongs to those who control them.

Thank you for considering these comments.

