

Before the  
Federal Communications Commission  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Creation of a Low )  
Power Radio Service )

MM Docket No. 99-25

RM-9208

RM-9242

To: The Commission

**MOTION FOR EXTENSION OF TIME OF COMMENT  
AND REPLY COMMENT DEADLINES**

Pursuant to 47 C.F.R. § 1.46, the Corporation for Public Broadcasting (“CPB”) and National Public Radio, Inc. (“NPR”) respectfully request the Commission to extend the deadline for comments in the above-captioned matter by sixty days to August 2, 1999 and the reply comment deadline by a corresponding number of days to September 1, 1999.

The Commission initially received three motions to extend the pleading deadlines in this proceeding so that parties could complete technical studies and respond to the data presented by other parties. The Commission, recognizing that the policy decisions to be made in this proceeding will necessarily rest on complex technical assumptions, granted the motions in part by extending the deadlines for comments and reply comments by approximately six weeks each.<sup>1</sup> CPB and NPR were not parties to the original extension requests and have worked

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<sup>1</sup> *Creation of a Low Power Radio Service*, MM Docket No. 99-25, *Order*, DA 99-542 (rel. March 19, 1999).

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diligently to complete technical studies within the time allotted. However, additional time is required to complete, analyze, and report on these technical studies. In a letter from Edward Fritts to Chairman Kennard (April 26, 1999), the National Association of Broadcasters (“NAB”) requested that the Commission defer the initial comment date in this proceeding to permit further testing of the in-band, on-channel (“IBOC”) digital radio standards, or, at a minimum, extend the comment deadline for at least 60 days. Without expressing a view on the merits of the NAB’s specific request, the parties agree with the NAB that the Commission should provide sufficient time for parties to develop and file technical information that will shed light on the probable effects of the proposal to license new low power radio stations on the FM band.

The Commission has asked for comments on how its proposals may harm existing stations and listeners, and whether its proposals will serve its goals of encouraging “community participation and the proliferation of local voices.”<sup>2</sup> Noncommercial radio has a substantial and deeply rooted interest in these questions. CPB is the private, nonprofit corporation authorized by the Public Broadcasting Act of 1967, 47 U.S.C. § 390 *et. seq.*, to facilitate and promote a national system of public telecommunications. NPR is a nonprofit membership corporation that produces and distributes noncommercial educational programming through more than 600 public radio stations nationwide. The consequences of this proceeding will significantly affect the ability of noncommercial stations to carry out their public service mission, including serving rural, minority, and other underserved populations. CPB and NPR share the Commission’s dedication to reaching traditionally underserved and underrepresented audiences, and are uniquely positioned to describe to the Commission how low power FM would impact their

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<sup>2</sup> *Id.* at ¶¶ 2, 46.

efforts to achieve this goal. CPB and NPR are also uniquely situated to comment on the consequences of rolling out new services in the reserved portion of the FM band, which include interference and contour protection issues that are unique to that portion of the FM band.

CPB, NPR, and the Consumer Electronics Manufacturers Association have undertaken an engineering study to investigate whether the addition of low power radio stations to the FM dial would interfere with the ability of listeners to receive noncommercial (and other) stations. The study will consider receiver selectivity, investigating whether existing audio receivers will be able to distinguish among the more densely packed channels following the creation of a low power FM service. The additional time requested would enable the parties to fully analyze the data, correlate receiver data with actual marketplace usage data, and report on the test results in a more thorough and comprehensive fashion.

Moreover, additional time would permit CPB and NPR to conduct more comprehensive testing of the potential for interference, including interference caused by the elimination of the second and third adjacency protections, and to examine the influence of multipath conditions. CPB and NPR believe that the results of this testing will contribute significantly to resolving the important issues of how best to serve the American public and ensure a diversity of voices on the FM dial.

For the foregoing reasons CPB and NPR urge the Commission to extend the filing deadlines for comments and reply comments to August 2, 1999, and September 1, 1999, respectively.

Respectfully Submitted,

**CORPORATION FOR PUBLIC BROADCASTING**

  
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