

DOCKET FILE COPY ORIGINAL

345 N. 24<sup>th</sup> Street  
Lebanon, PA 17046

RECEIVED

July 15, 1999

JUL 20 1999

FCC MAIL ROOM

Office of the Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Sir:

Enclosed, please find formal copies of comments in the filing of the Notice of Proposed Rule Making, M-M Docket 99-25, in the matter of Low Power FM Broadcasting.

Additionally, diskettes have also been filed with the appropriate FCC office and outside transcription service.

I support the ideas put forth in RM 9242, including "primary status" for proposed LP-1000 class stations and all classes of commercially supported stations, as well as non-commercial stations allowed.

I urge your carefully review of this NPRM and its approval, thus allowing this additional needed service.

Thank you.

Sincerely,



Douglas J. Neatrou

No. of Copies rec'd 044  
List ABCDE

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

**In the matter of  
Proposal for the creation the  
Low Power FM (LPFM)  
Radio Service  
Docket No. MM 99-25**

**MM Docket No. 99-25  
RM-9208  
RM-9242**

**Comments of Douglas J. Neatrour  
July 15, 1999**

**TABLE OF CONTENTS**

Opening Comments.....Page 3

1. The Spectrum.....Page 4

2. Commercial v.s. Non-Commercial.....Page 4

3. Spectrum Priority.....Page 5

4. Public File.....Page 5

5. Studio Transmitter Links and EAS.....Page 5

6. Bandwidth.....Page 6

7. Ownership.....Page 7

8. Service Characteristics.....Page 8

9. Application.....Page 9

10. International Notification.....Page 10

11. LP1000 Stations.....Page 10

12. LP100 Stations.....Page 10

13. Micro Radio Service.....Page 11

14. Summary.....Page 12

## **OPENING COMMENTS**

The current consolidation of both AM and FM radio stations in the United States, as brought about mainly after the approval of the Communications act of 1996, has diluted most minority voices and opportunities over the airwaves. In fact many have been denied the chance to participate in activities relating to broadcasting from the active and passive listener point of view. While this writer does not advocate hate groups, radical causes and the like to “take to the airwaves”, there still lies a right by all U.S. citizens to voice their opinion. A regulated, low power FM service will go a long way to provide services to the general public that appear to be eroding daily due to mergers, simulcasting and as stated before, consolidation.

Other alternatives for new entrants (into broadcasting), removed from the NPRM for LPFM are not sufficient. For example, audio on an Internet Website is simply not fully developed at this time in history. That audience is limited to a smaller number with sound capability on their computer. Also, such service is naturally limited to home use and wireless automobile coverage is not possible. Leasing existing licensed frequencies is cost prohibited and purchasing an existing facility is out of the grasp of most individuals due to the high purchase price in today’s market. Finally, establishing a new AM or FM station under current FCC regulations is almost impossible because of technical implications.

**1. THE SPECTRUM (ALL CLASSES OF SERVICE)**

LPFM should take into consideration the entire FM spectrum (88 to 108 MHz). With proper spacing, equipment type acceptance and other technical requirements. Interference should be limited and current licensed operators should experience few, if any difficulties.

**2. COMMERCIAL V.S. NON-COMMERCIAL (ALL CLASSES OF SERVICE)**

LPFM should be both commercial and non-commercial. The decision as to be income producing or not should be left to the license holder. In some cases, the broadcaster will desire to establish and operate non-commercially, using “gifts” and donated funds. Such facilities should follow current FCC and IRS non-profit status regulations. However, for other LPFM broadcasters, non-profit status would limit their effectiveness. Thus, a commercial facility is desirable. Letting the market place prevail is an easy method to allow operators the choice of commercial or non-commercial status. The writer suggests, in the strongest words, that commercial operations be allowed on this possible new method of broadcasting. This will go a long way to allowing greater effectiveness of the airwaves.

### **3. SPECTRUM PRIORITY (ALL CLASSES OF SERVICE)**

Spectrum priority is naturally of main concern to both current licensed operators and to possible new entrants. Minimum distance separations, power and antenna height proposals, as outlined in 99-25 are practical and are of sound engineering thought.

### **4. PUBLIC FILE (ALL CLASSES OF SERVICE)**

This writer notes for example, the FCC public file requirements have been relaxed over the years. With the current commission guidance, all broadcasters, including proposed LPFM broadcasters, should set up and maintain a public file. It is noted that (proposed) LPFM operators are, broadcasters and should have a requirement to serve the public and document that fact.

### **5. STUDIO TRANSMITTER LINKS AND EAS (ALL CLASSES OF SERVICE)**

It is anticipated that most proposed LPFM operators will desire to broadcast from a combination studio-transmitter single site, thus negating the need for remote transmitter linking equipment. However, those desiring to broadcast from a separate "remote" site, should be required to obtain equipment to enable the operator to monitor the technical functions of the transmitter from a distance. However, regarding other equipment required for current licensed operators, the

commission should relax these rules. For example, LPFM's should not need to have the expensive Emergency Alert System in place, mainly due to the low budget of many proposed LPFM operators. LPFM's may utilize such equipment if desired, but the exact requirement to do so should be relaxed. The market place will ultimately decide to tune in to a radio station that may or may not have EAS equipment, thus providing (or not providing) such information.

#### **6. BANDWIDTH (ALL CLASSES OF SERVICE)**

The writer suggests that the transmission bandwidth be of a standard to allow clear reception over radio's manufactured in the past 15 years. In this regard, it is urged that ALL transmission equipment, no matter what power level, be FCC type accepted, with strict built in modulation limits. This should not place an undue burden on operators, since there are several manufactures in the commercial marketplace with such transmitters currently available. LPFM stations must be received clearly and with suitable fidelity, without causing harmful interference to current licensed operators and/or aviation and other frequencies.

## **7. OWNERSHIP (ALL CLASSES OF SERVICE)**

Ownership and eligibility of LPFM stations should be simple and uncomplicated. The same basic standards currently in place for making application for an AM or FM broadcast license or frequency should apply. These include, but not limited to, being a United States Citizen, of sound character, knowledgeable of FCC and technical rules and free of drugs. In addition, those potential LPFM license holders who may have illegally operated a so-called "pirate station", but ceased operation after being advised by the FCC, would be considered "rehabilitated" and should not be prohibited from making application for an LPFM frequency. There should be no residency requirements but the number of facilities owned by an individual should be capped. This writer feels the Communications Act of 1996 is indirectly to blame for the NPRM of LPFM. Because of the current situation of mergers within the industry, ownership possibilities have been and continue to be severely limited (under present FCC rules). If LPFM is a reality, it would be unfortunate if unlimited ownership were the norm. To the writer, local, hometown owned and operated broadcasting is the reason for the possible creation of LPFM. It is also important not to allow LPFM frequencies to be operated as a translator. Additionally, currently licensed operators should not be allowed to apply for LPFM frequencies, to include daytime only AM radio stations.

## **8. SERVICE CHARACTERISTICS (ALL CLASSES OF SERVICE)**

Due to the nature of a proposed LPFM service, programming, would be in all probability, local in origin, as the Commission suggests, “a matter of course”. Therefore, regulations should not be in place that limit or define programming, except to say, such programming will not be vulgar or of suggestive content under current accepted norms. The writer is suggesting the same programming standards utilized for current licensed broadcasters.

Regarding commercial programming, as stated earlier, this writer believes that decision to become a commercial or non-commercial facility, should fall on the individual broadcaster. Thus, all LPFM operators would have the option of becoming a commercial facility, if desired.

All classes of LPFM should follow the same programming rules concerning taped, filmed or recorded materials, lottery information, personal attacks and periodic call sign announcements. In short, all proposed classes of LPFM stations should operate in the same manor or serving community interests as currently licensed broadcaster are supposed to. This writer believes much confusion will be eliminated if all abide by the same basic rules, with the exceptions as noted on previous pages in these comments.

## **9. APPLICATION (ALL CLASSES OF SERVICE)**

Electronic filing of all proposed classes of LPFM is highly desirable. This writer suggests a window for filing, possibly by region or state. Many people have access to the Internet either via home based personal computer or in public libraries. Creation of a LPFM software program by the FCC, whereas the application is made stating the frequency and proposed location of such service is made upon logging on a special LPFM WEB Site. If no interference is noted, then the applicant goes to the next step, to actually apply by name/address. This information is forwarded to the Commission along with a small application fee to cover the clerical costs of this service. The approval process is very quick and on a first come basis. A lottery process would resolve mutually exclusive applications. An auction system would only be used as a last resort, where there is no other way to determine who is awarded a frequency.

This writer believes, that is due time, even LPFM frequencies would be subject to the sales and purchase process, as are current licensed broadcasters. LPFM frequencies should be treated a business, although it will, in all probability be some time before such frequencies and/or stations are brought and sold as is the current standard in the licensed broadcasting community.

## **10. INTERNATIONAL NOTIFICATION (ALL CLASSES OF SERVICE)**

As outlined in the NPRM for LPFM, some provisions have already been made in the area of US-Canada and US-Mexico relationships regarding low power stations. This writer suggests these standard be upheld and additionally a provision made for LP1000 stations. In most cases, protection would have to be coordinated, especially for those applicants close to the Canada and Mexico borders.

## **11. LP1000 STATIONS**

An LP1000 station with an HAAT of 60 meters should more than cover the population of a medium size community. Co-channel and first adjacent channel protection should be exercised. LP1000 stations should have type accepted transmission equipment and be subjected to the same rigorous regulations as current licensed counterparts.

## **12. LP100 STATIONS**

LP100 stations, as outlined in the NPRM, would have an antenna of 30 meters HAAT at 100 watts, ERP. This would cover small communities with a signal extending about 4.8 kilometers. The writer suggests that three (3) miles in a small community is a great distance and agrees with the Commission reasoning on this issue. In addition, co-channel and first adjacent channel

protection should be afforded to current licensed broadcasters. All other equipment standards, as outline in the previous paragraph for LP1000 stations, should be enforced, as would be the public file requirement. The only difference would be, LP100 stations would be a secondary radio service, subject to protection from FM translators and boosters.

### **13. MICRO RADIO SERVICE**

Micro radio service would be a true neighborhood radio concept, with all the same technical requirements as LP1000 and LP100 facilities. Co-channel and first adjacent channel protection should be afforded to current licensed broadcasters. All other equipment standards, as outlined in the previous comments for LP1000 and LP100 stations, should be enforced, as would be the public file requirement. Such service could operate at 1 to 10 watts with an antenna height of 30 meters (no minimum HAAT). This would afford a service area of about 3.2 kilometers or less. Micro radio stations with 10 watts or less, as described above, would be required to protect each other against interference.

#### **14. SUMMARY (ALL CLASSES OF SERVICE)**

Much has been said and written by both sides of the LPFM issue in recent months. Some of this verbiage has come from those who simply want to be anti-government and claim freedom of speech. Others say that LPFM is a technical farce, open to problems that the FCC would have a difficult time policing. This writer takes the business end angle of this discussion and urges both sides to come to some middle ground. LPFM will not go away, mainly because commercial broadcasts of the present have set the stage. By merging and consolidation, local radio is more or less "out the window". Profits are up and the public has truly been let down. LPFM gives this business a breath of fresh air. Low, limited powers emitted by type accepted\approved transmitters, properly tuned and at the correct output levels will not interfere with a current licensed broadcaster. Ten watts of LPFM v.s. 50,000 watts of non-LPFM is no match.

Limits of who can own a radio station should not be in place for only those who can afford it. In today's open society, there is room for creative expression and as we enter the year 2000, a robust economy can accept those who desire a commercial LPFM operation.

If LPFM is approved, there will be a "rush" of applications. However, in a short

amount of time, this writer believes there will be those who either loose interest or become disenchanted with broadcasting and sell their station\frequency or simply end

broadcasting. As a result, separating of the players from the non-players will be the end product and the LPFM horizon will level off and be a solid member of the broadcasting family and an important member of the respective communities.

I urge swift approval of the NPRM in the matter of Low Power FM Radio broadcasting, Docket No. MM-99-25.

Signed:



Douglas J. Neatrour

345 N. 24<sup>th</sup> Street

Lebanon, PA 17046

Telephone: 717-270-6032

FAX: 717-270-6653