

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of _____)

MM Docket No. _____)
Creation of a Low Power _____) 99-25
Radio Service _____)

To The Commission:

COMMENTS OF JAMES W. FOSTER
IN FAVOR OF MM DOCKET NO. 99-25

I am an electrician and have been involved with radio broadcasting since I was eight years old. I spent several summers visiting my grandparents in Oklahoma spending my evenings hanging around KWCO-AM 1560, in Chickasha, Oklahoma. Then in high school, I was a high school reporter for the legendary Storz station WHB-AM 710 here in Kansas City and we had our own station that operated through the school PA system. (We needed LPFM back then).

Recently, I spent eight years as host of "Reflections" at KKFI-FM 90.1. I also worked at KCFM-FM 107.3, "Giant 107" in Kansas City as well as most recently at KCXL-AM 1140 in Liberty, Missouri.

I have always loved radio and will be applying for a license if LPFM is approved. LPFM is the only way I could ever afford to own and operate a station where I live and serve my community. LPFM is a "dream come true".

SUPPORT OF CLASS LP-1000, LP-100 AND LP-10 STATIONS

Class LP-1000 stations should include stations from 1,000 watts to 200 watts and Class LP-100 stations should include stations from 100 watts down to 50 watts, as long as an engineering study proves no interference using the "prohibited contour overlap" method as proposed

in RM-9242. Flexibility is important in each locality and power levels should be adjusted to fit the needs of specific locations and areas.

Class LP-1000 stations should be "primary status" and protected to their 1 mV/m (60 dBu) contour. LPFM must allow for "commercial" (commercially supported) as well as "non-commercial" stations.

Class LP-100 stations should be designed to fit in where LP-1000 stations will not fit, even if required to use directional antenna patterns kept

in the FCC database. Class LP-100 should be "secondary status" with a minimum of FCC rules to adhere to, mainly technical rules to prevent interference. LP-10 stations should be authorized by the FCC with power levels of 10 watts and below. These stations would operate primarily as "non-commercial" stations for individuals, churches, schools, amusement parks, drive-ins, special events, non-profit neighborhood and community groups

who plan limited broadcast hours.

The non-commercial educational section of the present FM band (88-92 MHz) should be for non-commercial LPFM stations also. Commercial LPFM stations should operate in the commercial part of the FM band (92-108 MHz), as full-power FM stations do now. If LPFM is restricted to non-commercial service only, it would be a real injustice. I am very concerned

about and strongly support both commercial and non-commercial LPFM stations. The choice should be that of the applicant.

Radio stations have used commercials to support themselves for over 75 years and there is no reason at all to preclude LPFM stations from supporting themselves with commercials. In addition to being a fine mechanism for a LPFM station to receive financial support, it also provides a great benefit to

the small local mom and pop businesses who heretofore could not afford to

use radio advertising. This benefit alone is enough reason to permit commercial operation for LPFM. Commercial LPFM stations must be able to sell commercials to support themselves. It's a matter of economic survival.

REMOVAL OF 2ND AND 3RD ADJACENT RESTRICTIONS

Both the 2nd and 3rd adjacent channel restrictions must be removed for LPFM stations. Improvements in receiver design since the rules were written decades ago will allow these restrictions to be removed without causing interference to existing stations or planned digital I.B.O.C. signals. The fact is that hundreds of full-power (grandfathered short-spaced) FM stations have been operating on 2nd and 3rd adjacent channels for several years with no interference complaints. If these stations do not cause interference neither will lower power LPFM stations.

USE OF "PROHIBITED CONTOUR OVERLAP"

The FCC should use a "prohibited contour overlap" method of predicting interference, as is now easily done in the Low Power television service with the appropriate computer program and would allow many major markets to be served by one or more LPFM stations. The LPTV service uses a computer program "LP-ONE" to show if a proposed station would cause interference. This would be a one time cost to have a similar program written for LPFM processing. This would allow for many more LPFM stations to be created nationwide and would make the use of standard "directional patterns" feasible.

This type of processing would allow use of directional antennas, as is done in

the LPTV service, allowing many more LPFM stations to be created by putting the signal where needed while limiting the signal in the direction of stations

that need to be protected. The directional antenna patterns would be included in the FCC "directional antenna database" and thus using their patterns would

be a simple matter. If the FCC follows their strict "mileage separation tables"

as put forth in their NPRM, many major markets will not receive any LPFM stations. Many small markets still have availabilities for full-power channels to

be assigned, but the larger cities are packed full with full-power stations and

the only way to get a new FM station on the air there is to buy an existing one

for many millions of dollars, in most cases. This method would by far make the

most efficient use of the spectrum and with a simple computer program could

be accomplished using minimum Commission resources. The benefits of

making many more stations available easily outweigh any arguments against

this approach, especially when computer processing is available at the FCC.

It is IMPERATIVE that the FCC adopt this "prohibited contour overlap"

method of processing and predicting interference, if the LPFM service is to

prosper nationwide. If a channels does not meet the strict mileage separations

in the FCC's currently proposed "mileage separation table" then the channel

cannot be used; however, in many cases you could use the channel simply

by using a directional antenna to restrict the power in the direction of the

station that would otherwise be interfered with. The signal protection ratios

remain the same as with the "mileage separation tables" but applicants can

then have channels available where none were before under the strict

"mileage separation tables". This method is also called the "desired to

undesired signal ratio" method. After studying the computer program that

the FCC used to calculate the number of LPFM channels that might be

available, it is quite apparent that the currently proposed system of "mileage

separation tables" will severely limit the number of LPFM stations that might

be created, especially in major markets where no full-power FM channels

are available.

ANTENNA HEIGHT

The 60 meter (197 feet) limitation on Class LP-1000 stations in the FCC NPRM should be increased to up to 100 meters (328 feet), which is the same as for Class-A full-power FM stations. This would provide for an additional 2-3/4 miles of coverage without requiring any additional power. Distance to 60 dBu contour would increase from 8.8 miles to 11.76 miles, which could help LPFM stations reach significantly more people and thus enhance their ability to survive. Flexibility should be allowed for specific antenna heights for different areas and locations.

BANDWIDTH

LPFMM must not be subjected to a narrower bandwidth than full-power FM stations since audio quality could suffer. I support dropping sub-carriers other than stereo to prevent interference.

OWNER RESTRICTIONS AND RESIDENCY REQUIREMENTS

Ownership restrictions must be in place to keep this service for "local owners" so as to not be purchased and operated by large corporate broadcasters. The Owner should live within the protected contour of his/her proposed antenna site. This will work nicely and will be easy to enforce by requiring applicants to list the coordinates (latitude & longitude) of their residence as well as their antenna site on the LPFM application along with a certification that they meet this requirement. Individuals who own any part of a full-power (full-service) radio station, full-power TV station or newspaper should be barred from applying for a LPFM license or buying such a station once constructed by another party.

FILING OF APPLICATIONS

The FCC should use "first-come first-served" e-mail application process with five-day filing windows. In cases of conflicting applications, I would like to see a lottery process implemented instead of auctions.

AMNESTY TO LPFM PIONEERS

Amnesty should be granted to "pirates" who shut down once warned by the FCC.

CONCLUSION

I stand with the many individuals who have filed comments and have worked hard for the establishment of LPFM and I strongly urge the Federal Communications Commission to approve MM Docket 99-25 and establish a LPFM service for the benefit of everyone.

I strongly believe in LPFM and the revitalization of local radio that truly serves their community.

Respectfully Submitted,

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