

Radio Newburyport, LLC

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July 26, 1999

Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals II
445 Twelfth Street, S.W.
Washington, DC 20554

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RE: Comments on MM Docket No. 99-25

Dear Madame Secretary;

Radio Newburyport, LLC wishes to file comments on the Commission's proposal to create a Low Power Radio Service prior to the deadline for filing such comments, August 2, 1999.

Enclosed herewith one original and nine copies for distribution to each of the Commissioners.

Very Truly Yours,



Linda L. Fuller

Member

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Before the
Federal Communications Commission

Washington, DC 20554

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)	
In the Matter of)	MM Docket No. 99-25
)	
Creation of a Low Power)	RM-9208
Radio Service)	RM-9242
)	

To: The Commission;

**COMMENTS OF RADIO NEWBURYPORT, LLC
ON A NEW LOW POWER RADIO SYSTEM**

Radio Newburyport, LLC, (Radio Newburyport) hereby submits comments on the above referenced Notice of Proposed Rule Making and Order adopted January 28, 1998 and released February 3, 1999. Radio Newburyport is licensee of AM radio station WNBP in Newburyport, Massachusetts.

Introduction

Radio Newburyport is deeply concerned that the recent proposal by the Federal Communications Commission for a Low Power FM Service will destroy or severely damage the viability of its own and other similarly situated small market operations. As proposed, the Commission's plan to

expand diversity on the FM broadcast band will place the majority of new outlets in areas where they are least necessary: in rural areas of the country and in communities presently served by one or two operators.

LPFM is at cross-purposes with its goal

The Commission wants to provide new outlets of expression for minorities, church and community groups, and others whose views and interests are not adequately covered by the plethora of existing AM and FM stations lacking economic incentive in programming to such small and specialized causes. It's a noble goal and one well within the Commission's charter to promote efficient use of the electronic spectrum and to make it available to as wide a range of the population as possible.

However, by providing new outlets to the public by the simple expedient of placing them wherever compromised standards will allow a technical fit, the FCC will create a perverse situation. With the proposed LPFM plan, the greater the population density, the fewer new stations; the more remote and sparse the residential density, the higher the number of new stations created. The public interest in this logic is lost on Radio Newburyport. Large and densely settled cities will get few or no new outlets to serve their intrinsically diverse populations, while small markets and remote towns--already grappling with an overabundance of media--will be inundated with new FM stations with coverage equal or superior to existing facilities.

Additional Injustice

Another unintended consequence of the LPFM proposal—if current commercial broadcasters are barred from ownership—will be to leave many low power single market AM stations permanently deprived of their long-standing dream of having their own FM frequency. WNBP is in such a situation. For nearly five decades, WNBP has struggled—first as a daytime only station and more recently with permission to broadcast in the nighttime. Unfortunately, this new expansion of hours arrived coincidental with the near obliteration of AM radio by FM stations with superior sound quality and coverage.

Now, Radio Newburyport has to face the possibility that its long effort to keep a tenuous grip on the residents and businesses of this small city of license may be threatened significantly by new competitors. These operators will have only a minimal investment in their 1000 watt FM stations but will enjoy coverage parity (or even superiority) with WNBP. This would not only be a bitter pill to swallow, but a terrible insult to the many dedicated broadcasters who, over the years, worked so diligently to provide news, information, and entertainment to the city of Newburyport while it sought a new role for itself as a renaissance city for the 90's.

Summary

In conclusion, Radio Newburyport urges the Commission to carefully analyze its stated goals for the Low Power FM Service so that it may find solutions that address the problem without disastrous unintended consequences. As it has

evolved to date, the LPFM proposal has much potential to please a handful of vociferous radio hobbyists and temporarily placated pirates, but offers little relief to the majority of special interests in large and medium-size cities—those persons and groups most likely to be in need of new outlets of public expression.

In that LPFM is unlikely provide any measurable improvement in large and medium market broadcast diversity, Radio Newburyport implores the Commission to give priority consideration for any new allocations it creates to stand-alone AM stations. Doing so would at least begin to level the playing field for small market broadcasters, who stand to be disproportionately impacted by the avalanche of new technologies (among them the 'yet-to-be-deployed' 200 channels of DAR-S) being actively promoted by various agencies of the government.

It would be tragic and ironic if the true legacy of the LPFM experiment were that it delivered the coup de grâce to the most basic element of America's broadcasting system, the small market AM radio station.

Respectfully submitted,

Radio Newburyport, LLC.



Linda L. Fuller

Member

July 27, 1999