DOCKET FILE COPY ORIGINAL

Before the
FEDERAL COMMUNICATIONS
COMMISSION
Washington, DC 20554

In the Matter of Digital Audio
Broadcasting Systems and Their
Impact On the Terrestrial Radio

MM Docket No. 99-325
Broadcast Service.

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RADIO FREE RICHMOND

From: Christopher Maxwell
Secretary/Treasurer
Virginia Center for
The Public Press
Radio Free
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MOTION FOR EXTENSION OF REPLY-COMMENT PERIOD FOR 99-325 DUE TO FAILURE OF ECFS SYSTEM TO ALLOW ACCESS TO COMMENTS

Please Accept this motion as Accepted for Timely Filing due to failure of ECFS systems

The Electronic Comment Filing System (ECFS) has been a wonderful boon to people such as I, a volunteer that teaches people to create media shows in Richmond Virginia in the evenings and on the weekends. We only recently have taken the time to learn the intricacies of communications regulations because of the potential for our mission presented by the Low Power Radio Service as well as the potential threat to our ability to hear certain stations posed by certain proposals for the Digital Audio Broadcasting In Band On Channel transition.

Unfortunately, the ECFS has been down to the point of near uselessness for almost two weeks. The ECFS system has been acting up as early as 2/1/00. *This prevents reading* the comments on IBOC Digital Audio Broadcasting (IBOC-DAB) proposals for Docket 99-325, to which we would reply.

On some occasions, the adobe reader seems to work better if the files are downloaded to the Harddrive first.

So in a final attempt to exercise my obligation as a commenter to read all relevant available material, on 2/22/00 from 6pm-10pm, I uninstalled an application and deleted files to make room for an attempt to the download and viewing of the files for organizations listed below in an effort to check the comments of others before sending in our comments on those we *have* been able to read.

Your server might verify that I was attempting to access the Adobe Files of the following comments for 99-325 from Richmond, Virginia:

National Association of Broadcasters
Consumer Electronics Manufacturers Association
Cue Corporation
Greater Media Corporation
Infinity Broadcasting
Lucent
Picture Radio
Public TV
QIE Corporation
USADR

My Adobe Acrobat reader was working just fine because I was able to view and download-and-view the files for comments on 96-120 as well as *some* of the comments on 99-325 (listed here):

Digital Radio Express
Natl Institute for Standards and Technology
National Public Radio
Rogue Radio
Small Business Administration
Sony

I emailed ecfshelp@fcc.gov and bcline@fcc.gov on 2/15/2000 with an alert that neither of the systems to read comments were working although I have also emailed Bill Cline **as early as 2/1/2000**. Thus we need the time (nearly a month!) lost that would have otherwise been available for reading the comments and researching our responses.

Sincerely, Thank-you for your consideration of our concerns, Christopher Maxwell

ATTACHED:

-The text and headers (of my outgoing) email regarding trouble with the ECFS system.

==========

From my aol "Sent Mail" folder:

==========

Subj: Neither system seems to be working ...
Date: 2/15/2000 2:00:29 PM Eastern Standard Time
From: WRFR
To: ecfshelp@fcc.gov
CC: bcline@fcc.gov

I get alternately,

Server Error ... messed up configuration ..

or when I try to read or even download a *.pdf document, my PDF reader (Acrobat 2.1) claims doc has errors. and it displays a blank page.

I know my Acrobat works because older files from my HD, it reads just fine!!!

Unfortunately, it has been this way since Sunday night, but got WORSE on Monday.

Please pardon if it is those hackers or something broken on my end.

Sincerely, Christopher Maxwell
Virginia Center for the Public Press
Wrfr@aol.com

---

and

Subj: Problems with 99-325 comments ...
Date: 2/1/2000 7:03:18 PM Eastern Standard Time
From: WRFR
To: bcline@fcc.gov

Pardon the disturbance,

It may be on my end:
But I cannot read the NAB comments for 99-325 submitted 1/24/00

AND:
I had trouble getting thru to the ECFS system on the evening of 1/24/00 and so when I finally DID get the system to work right, it was 1/25/00 at 00:38 hours.

For some reason, however, OUR submitted comments are listed as 1/27/00 !!!

Technically it ought to be 1/25/00 ... but since I had trouble (probably due to the blizzard blowing the phone lines, or everyone and their brother on the Internet, or both) getting the system to respond accordingly, I was hoping perhaps you could correct that to say 1/24/00 !

Sincerely, Christopher Maxwell
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REPLY-COMMENTS REGARDING DOCKET 99-325

Please Accept this motion as Accepted for Timely Filing
Due to failure of the ECFS systems during February 2000.

Dear FCC Commissioners and staff,

Please pardon the "rough draft" nature of these comments. They are indeed notes that were waiting for full functionality of the ECFS file search system to allow us full access to all the comments provided regarding Docket 99-325.

Thus we did not have access to many of the most important documents and comments in this proceeding.

And so we will be hoping to provide additional comments that might significantly modify this comment-reply when we have full access to all comments.

FCC NPRM 99-325 NOTES:

These are in addendum to comments earlier.

Introduction:

> "1 Digital Audio Broadcasting (DAB) technology is in various stages of development and implementation throughout the world. Its proponents claim that it has the capacity to move the American radio broadcast service 'to the next plateau of audio performance by providing listeners with enhanced sound quality more closely resembling original source material and digital recordings.' Proponents also contend that a DAB system would enable radio broadcasters to offer the public an array of new auxiliary services.' Thus DAB technology has the potential to significantly enhance the American radio broadcast service."

Page 7:

> "In the United States, however, the L-Band is allocated for the purpose of flight test telemetry, (37) and the spectrum around 221 mHz is allocated for the primary purposes of land mobile and amateur use. The CEMA Final Report found that '[o]f all the systems tested, only the Eureka[-147] system offers the audio quality and signal robustness performance that listeners would expect from a new [DAB] service in all reception environments." (38) No proponent of a Eureka-147 or other non-IBOC DAB system has filed comments in response to USADR's Petition. We currently are unaware of any such proponents in the United States.(39)"

VCPP ADDENDUM-COMMENT:]
It appears that the FCC links any consideration of mandatory sunsetting of analog FM with the choosing of an IBOC DAB system:

Page 7:

> "12. The USADR Petition for Rulemaking was filed on Oct 7,1998 (half a year after the petitions that became the LPFM service were filed). USADR urged the commission to take the following regulatory steps:
> ... 3) Adopt 'a transition plan that provides appropriate protection for analog radio for an interim period but also fosters the transition to an all-digital environment"

Page 8:

> "Likewise, with regard to (3), the need to establish a sunset on analog signal protection may depend on the selection of an IBOC system."(45)
>
> "14. With regard to USADR's proposed step (5), many commentaters agreed that the Commission has a role to play not only in the implementation of DAB, but also in fostering the further development of IBOC DAB systems."
>
> "15. ... We begin with the settled determination that fostering the development and implementation of terrestrial DAB is in the public interest (48) We believe that the principles advanced by the Commission in Docket 90-357 regarding the terrestrial radio broadcast service remain valid, and will look to them in developing our approach to a terrestrial DAB service (49). The goal of introducing terrestrial DAB service is most fundamentally grounded on the promise of digital technology to provide vastly improved radio service to the public. It is our goal to authorize a DAB service that permits broadcasters and listeners to realize fully the superior technical performance capabilities of this technology."

VCPP ADDENDUM-COMMENT:]
This presumes that an incremental increase in sound quality from analog FM stereo to "near CD quality" (whatever that might objectively mean in a noisy mobile and office and work environment where radio is mostly used) is of interest to the public.

Duncan Radio Research suggests that the public would actually prefer a wider variety of formats and programming values (owners) with the same level of audio quality. In other words, the best thing that can be done for radio vis-a-vis the listeners is to encourage as many new entrants in the business of producing programming as absolutely possible.

The current DAB proposals actually would produce the opposite, less owners and less stations with less range for less people.

Page9:

> "16. The Commission also remains firmly committed to the related goals of 'supporting a vibrant and vital terrestrial radio service for the public and creating DAB opportunities for existing radio broadcasters.(50). We must ensure that the introduction of DAB does not weaken the vitality of our free, over-the-air radio broadcast service, which provides service to virtually all Americans through a strong, independent system of privately owned and operated stations. (51).

17. A viable DAB system must be spectrum efficient. Our preference is for DAB systems that use the least spectrum. It is the Commission's obligation to ensure that the value derived from the superior transmission capabilities of DAB technology is allocated in a manner consistent with the public interest. In addition, with regard to IBOC DAB systems, we believe that a transition to an all-digital service is an appropriate public policy goal, because the spectrum efficiencies and related new service opportunities inherent in such systems can be realized fully only in an all-digital operational mode."(56)

VCPP ADDENDUM-COMMENT:]
The FCC appears to have come out and STATED THEY ARE PREJUDICED TO AN ALL DIGITAL FM DIAL IF IBOC IS CHOSEN.

Page 10:

"It is equally important that the Commission's DAB technical rules make it possible for manufacturers to produce reasonably-priced digital receivers."

VCPP ADDENDUM-COMMENT:]
This then argues for Eureka 147 at 1400mHz.

And why does the FCC stick to IBOC anyway?

19. ... we continue to believe that IBOC systems hold great promise ... moreover, IBOC is the only approach that to date, has attracted a substantial number of adherents."

VCPP ADDENDUM-COMMENT:]
Luckily this is NOT TRUE.

The NAB themselves were major proponents of Eureka 147 until the FCC shot them down by denying us and the NAB proponents the use of the L-Band!

"20. We propose to apply the following evaluative criteria: (1)enhanced audio fidelity; (2) robustness to interference and other signal impairments; (3) compatibility with existing analog service; (4) spectrum efficiency; (5) flexibility, (6) auxiliary capacity; (7)extensibility; (8) accommodation for existing broadcasters; (9) coverage; and (10) implementation costs/affordability of equipment. The order of these proposed criteria is not intended to imply a hierarchy among them."

VCPP ADDENDUM-COMMENT:]
ALL these argue for Eureka 147 ...

"21 Enhanced Audio fidelity/robustness. Consumer demand for improved audio fidelity is undeniable. (63)

VCPP ADDENDUM-COMMENT:]
NOT TRUE! Footnote 63 in FCCs NPRM Docket 99-25 indicates Sony carried out a poll that purports to indicate that two thirds of the public want Digital Audio Broadcasting features. But then Sony's OWN comments for 99-325 indicate *repeatedly* that their sales of DAB units in Europe has been flat

and disappointing. Sony even recommends that the FCC "encourages" the digital market by denying us a choice of systems, by mandatorily sunsetting analog FM and FORCING us to buy their products!! Whether we end up agreeing with the Europeans response (yawn) or whether we are impressed, we will have DAB pressed upon us like so many cattle fed to fatten for market!
Obviously, the poll was not done well, since the real world market test has DAB a major flop for Sony. Sony cites the lack of anything "compelling" on the DAB bands. The Broadcast Trusts such as Clear Channel have increase their profits by gutting staff that would have been used to create the "programming innovation" called for by Duncan Radio Research ... why would they suddenly behave 180 degrees opposite by creating new niche programming for DAB?

ALL of the above goals would be enhanced by requiring that ANY DAB receivers MUST have FLASH BIOS so that a person can update to a different, or even multiple decoding schemes. This would also enable the FCC to let the manufactures and the consumers battle out what standard is chosen ... let the marketplace work out which standard ends up winning. Because just as a V.90 56k Flex modem can also use X2, but also the other protocols such as V34, V32, V22 etc. etc. It provides extensibility, cheapness of upgrade, flexibility, everything cited with minimum work for the FCC as well!! It also means that if a great new protocol is invented five years from now, we are not locked into some older protocol.

This would be especially true given FCC NPRM statement on page 13:

> "Flexibility is one of the principle benefits of digital technology. many commenters believe that increasing radio broadcaster's capacity to provide auxiliary services will be an important benefit of DAB technology. ... We currently provide broadcasters with a great deal of freedom with regard to subcarrier usage and believe that a similar approach to regulating augmented auxiliary capacity would likewise be in the public interest."

VCPP ADDENDUM-COMMENT:]
Flash ROM BIOS would provide that flexibility. However, if the FCC is going to allow the Broadcasters to create private data LAN's on our public airwaves, then for every dollar they earn on their SCA channels for "auxiliary services" should result in a dollar of reduced advertising time or perhaps donated time to local nonprofit agencies in the area to create programming. With 35+% profits, this would cause no hardship and would provide a public benefit roughly equivalent to creating more competition that a narrower bandwidth would provide. If there is to be no trade for SCA use, then that spectrum must be turned over for auction or for new entrants to provide that "second rate information delivery services" for which 13,000 requests were made in 1997.

Page 12:

> "27. This proceeding also presents an opportunity to consider the spectral efficiencies that could be realized by advances in receiver technology over the decades since the analog interference standards were established. We not that analog receivers can now be designed with improved frequency selectivity to better reject potentially interfering signals on adjacent channels. (72) Although IBOC systems are based on existing analog protection criteria we wish to examine the extent to which state-of-the-art receiver technology may provide additional protection against interference, and thereby facilitate more intensive spectrum utilization."

VCPP ADDENDUM-COMMENT:]

It is obvious from some commenters remarks, one commenter calling for "*only* 430kHz bandwidth" verses the 70kHz required by USADRs DAB signal that there is obviously little concern among the proponents of IBOC for consumer's receiver's ability to separate signals. Odd that they were so concerned during the LPFM proceedings and yet there seems to be virtually NO concern during these proceedings! Not even for the existing 2nd adjacent Full Power Grandfathered Short Spaced stations!

Therefore, recommendation: Off Band solution using 100kHz slots with only 1st adjacent protection would provide for a maximization of the number of outlets. There should also be NO guarantee of access for existing broadcasters, they should compete as new entrants for the DAB slots as would anyone else. Furthermore, in the interests of maximum diversity, the DAB stations should have similar Ownership provisions as the LPFM stations. Note that Greater Media etc. have essentially attempted to blackmail the FCC, that if they are not allowed to create what amount to beeper networks on their subcarriers, they will in-effect "take their ball and go home" since they are apparently uninterested in being a "second-rate information delivery system."

Since they are allowed to make a profit as a side benefit of providing us a Free Press, not simply because they got to the public commons (trough) first ... there is no guarantee that they are allowed to gorge themselves on the wireless Internet revolution on their subcarriers at our expense.
Their PRIMARY EXISTENCE is to be "second-rate information delivery services." NOT BEEPER NETWORKS!!!

If they want more bandwidth for proprietary packet data delivery , let them pay for it at auction as have the cell phone and nonFM SCA beeper networks.

Page 14:
VCPP ADDENDUM-COMMENT:]
The FCC apparently finds that their job is to enforce monopoly and not create competition, yet they have cited the competition clauses of the 1996 Telecom Act in creating the LPFM. Why the discrepancy?

> "32. Accommodation for existing broadcasters. We tentatively conclude that any DAB system should, to the maximum extent possible, accommodate all existing broadcasters that desire to initiate DAB system transmissions. A digital service that permits both AM and FM stations to provide the same level of enhanced audio quality also would be of significant benefit to broadcasters and listeners."

VCPP ADDENDUM-COMMENT:]
Then they contradict themselves, practically in the same breath. Next sentence:

> "We tentatively conclude, however, that placing AM and FM broadcasters on equal footing in terms of signal quality is not an essential DAB technical requirement. "

VCPP ADDENDUM-COMMENT:]
Translation, equity would be nice, but the FM Broadcasting Trust would hand us our heads on a platter if suddenly owners of AM stations were just as good as the expensive FM stations owner's signals. If we choose an OFF-BAND solution, we will get crucified by the FM Broadcast owners.

Page 14:

> "34 (10) Implementation costs/affordability of transmission and receiver equipment. Minimizing implementation costs of any DAB model and/or system is a fundamental means of ensuring a rapid and non-disruptive transition to DAB. One important benefit of an IBOC model appears to be its ability to allow broadcasters to build on the existing broadcast infrastructure ... With regard to affordability, the Petition points out that the relatively low cost of receivers contributes to the radio broadcast service's unmatched penetration."

VCPP ADDENDUM-COMMENT:]
The FCC seems more concerned about cost to the broadcasters than the consumers.
Even so, Eureka 147 would STILL provide the cheapest answer since they could use the same equipment as are produced for the entire planet. Furthermore, the FCC could simply allow enough flexibility in geographic placement and adjacent frequency placement that broadcasters could use the same antenna towers. Furthermore, of course, consumers would be able to IMMEDIATELY access a world market for Eureka 147 receivers already in use all over the planet. No retooling would be necessary, just different stickers for labeling switches in English (or immediate importation of British and Canadian receivers).

NOTE: THE FCC ACTS AS IF L-BAND DECISION OF 1992 IS INVIOLATABLE.
Why?

The military works for the civilian government, not the other way.
The U.S Government is "Of, by and for the people"., not the military.
A healthy Free Press is a vital part of a healthy democracy that the military is sworn to uphold.

Therefore it is the DUTY OF THE MILITARY TO GIVE UP THE L-BAND!

There is no doubt that a revisitation of this issue in light of the MASSIVE support for the LPFM service could push the lazy military back to another frequency, why not one of the higher amateur bands? We could "sunset" the AM Broadcast Band and give that to the amateurs if their political pull can exceed that off the thousands upon thousands who now support the increased competition of the LPFM ... who's interest would be harmed by IBOC sunsetting of analog FM!

Page 15:

> " proponents content that IBOC ... would be spectrally efficient, in that it would not require a new spectrum allocation (81) and consequently, "administratively efficient" because this approach would not raise new spectrum allocation and licensing issues."

VCPP ADDENDUM-COMMENT:]
This would ONLY be true if the FCC DOES NOTHING. That is requires broadcasters to transmit DAB down their existing 137kHz subcarriers contained within their existing 200kHz mask ... and require that DAB receivers have FLASH BIOS thus allowing the marketplace to decide what kind of protocol (or which of many) to use with very easy upgrade of receivers enabled thusly.
ANY OTHER APPROACH WILL INCREASE THE WORK LOAD FOR THE FCC.

Hey! Who is the FCC working for here? :

> "Finally they contend that IBOC would enable stations to preserve their current frequency identities and coverage areas, service features that are important to broadcasters ..."

VCPP ADDENDUM-COMMENT:]
Again, we see the FCC is prejudiced toward this Digital Disaster of IBOC:

> "37. We believe that those arguments have merit and that a workable IBOC system would be superior to a new-spectrum DAB system in several respects. It would not require new spectrum ..."

VCPP ADDENDUM-COMMENT:]
NOT TRUE. The worst of the proponents want to expand to 430kHz, they would more than double the amount of bandwidth used per station, and several proponents are quite blatant to the point of near-blackmail that they intend to use that extra bandwidth for "auxiliary services" such as mobile beepers and proprietary fee-based mobile digital packet information such as for delivery trucks and commodity brokers. They are SPECIFICALLY getting extra bandwidth to compete with wireless Internet, cellular and beeper networks that have had to pay auctions for their spectrum!

VCPP ADDENDUM-COMMENT:]
VERY INTERESTING CONTRADICTION OF EARLIER REQUESTS FOR INFORMATION:
Page 16:

> "Moreover, if proponents' claims are correct, the enhanced robustness of IBOC systems could help eliminate or ameliorate interference now experienced by grandfathered short-spaced radio stations ..."

VCPP ADDENDUM-COMMENT:]
What is interesting is the main reason given by opponents to the new Low Power FM service was that allowing us to use 3rd and 2nd adjacent frequencies to the full power stations would cause interference that would destroy IBOC.

> Well then, what of the 2nd adjacent FULL power Grandfathered stations? NOW they are saying IBOC will *reduce* their interference!!

Page16:
VCPP ADDENDUM-COMMENT:]
Finally, the FIRST sign that the FCC has even CONSIDERED new applicants!!
A Eureka system with ownership restrictions would create more opportunity than anything else they could possibly come up with.

Page17

> "42"The new spectrum approach would permit the use of a DAB system that is completely independent of the existing analog AM and FM radio systems. We request comment on whether independence from existing AM and FM radio systems would provide greater flexibility in planning and implementing DAB service. An independent DAB transmission system might operate at a higher data rate and thereby support higher audio quality and enhanced ancillary services as compared to an IBOC system operating

in hybrid mode."

VCPP ADDENDUM-COMMENT:]
The FCC *again* displays an unfortunate prejudice toward a mandatory sunsetting of analog FM:
Page 18:

> "43 Any reallocation of the 82-88mHz band for DAB service should facilitate the transition to a final DAB spectrum plan that would include the existing FM radio spectrum. For example, when DAB is accepted by consumers and proves successful, the existing adjacent FM spectrum at 88-108mHz could be converted to DAB. Under such a plan .... however such a transition could result in significant service disruptions. It would require broadcasters to choose between serving listeners with analog receivers or listeners with digital receivers. Significant listener dislocations could occur at the point of a 'hard' transition to digital transmissions ..."

VCPP ADDENDUM-COMMENT:]
The FCC inexplicably seems to say early on in the document that one of the wonderful reasons for radio is locality ... then here on page 19 they are showing prejudice toward the Broadcast Trust:

> "47 Should all AM and FM broadcasters be eligible for a DAB license in any new spectrum made available? Should we exclude DAB licenses in the new spectrum from the local ownership limits that apply to analog stations?

VCPP ADDENDUM-COMMENT:]
THEN they bring up going the other way:

> "To what extent should new channels be reserved for educational use and new entrants? Should we limit each applicant to a maximum number of DAB licenses in each market? How would the issuance of these licenses implicate our statutory requirements with respect to auctions?"(94)
>
> "48 We also request comment on what approach could be used to specify the initial DAB channel allotments under a new spectrum approach."

VCPP ADDENDUM-COMMENT:]
For the purpose of allocation, redefine the term "efficiency" away from a lazy engineering perspective of maximum irradiation of space per one channel to a "Democratic Efficiency" that maximizes the number of voices.
Thus recommendation: 100kHz stations of a maximum of 1000 watts each, booster stations allowed until that signal is halfway to the next major metro. Only 1st adjacent frequencies are protected. The stations will start at one end of the spectrum and be stacked up to the other end with all the antennas starting off from some location central to the metro area agreed upon by the a local committee made up of the stakeholdes of the township central to the metro area.
At the beginning of the DAB process, same ownership restrictions as the LPFM. Then after three years, incumbents are allowed to have one station per owner per metro. After 10 years they will be allowed up to 5 per metro and 50 for the nation. All DAB frequencies are to be auctioned, no give-away of public spectrum!

Note that I am obviously discounting comments that "existing broadcasters are best equipped for a quick transition to digital."

Since when is it the job of regulators to ensure that regulatees be the first to get a public freebie to the expense of competitors and new entrants to the market? The impression left by the 1996 Telecom Act is supposedly to increase the number of new entrants, not to reduce them!!

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REPLY-COMMENTS REGARDING DOCKET 99-325

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Thus we did not have access to many of the most important documents and comments in this proceeding.

And so we will be hoping to provide additional comments that might significantly modify this comment-reply when we have full access to all comments.

REPLY-COMMENTS TO THE National Association of Broadcasters (NAB) Comments:
Submitted to 99-325 1/24/00

> Introduction (Page 1)
> "While the Commission seeks comment on alternative approaches for DAB in the U.S., NAB believes that Commission should focus its attention on IBOC DAB as the appropriate model for DAB. The transition to digital for terrestrial radio broadcasters must be made a priority as they face the advent of satellite digital radio service in the near term."

VCPP REPLY-COMMENT:]
The unstated but suggested logical statements here are:

1. That the *REASON* that satellite radio will provide damaging competition is that they are *digital*. Is that in fact the reason that people will pay $10/month plus hundred$ of dollar$ for satellite audio receivers ... is solely the fact that it is digital?

   Consider that:
   Duncan Radio Research shows a 12% "historically large decrease" in listenership starting in 1989. Duncan's research comments do NOT mention a lack of "near CD sound quality", but they DO mention "increase spot loads (ads) ... lack of programming innovation."

   Consider: People are going to Internet radio, MP3 sites and bitcasting ... because the Internet provides more variety where the LISTENER EDITS THE PLAYLIST, NOT DUE TO BETTER SOUND!!!

This indicates that the unstated logical item number one for the NAB's support for Digital Audio Broadcasting is FLAWED.

2. Unstated logical assertion number two is that one of the reasons that the consumers and citizens of America pay taxes for regulatory bodies such as the FCC is to ensure constantly increasing profits for the regulaTEES ... at consumer and citizen expense if necessary!

BIA associates noted that in 1998, the average profits for large public radio ownership groups such as Clear Channel were running 35%-40%. Considering that the average Grocer earns 1% profit margin and most stockholders would be deliriously happy to achieve a 15%-20% return on investment, an assertion such as this from the NAB is a cruel joke to taxpayers at the least.

Therefore I conclude that unstated logical assertion number two is ALSO FLAWED.

Since it appears that the entire IBOC DAB process is founded upon these two assertions, it is very likely possible that the entire reason for Digital Audio Broadcasting is flawed and should be considered then only with much caution for its potentially deleterious effects on a Democracy that counts a "Free Press" that is free of domination by *ANY* particular group of people, be that government, religious OR Corporate!

Page 3
"The NAB also agrees with the Commission's tentative conclusion that each existing broadcaster must be provided the opportunity to transition to digital (Notice at para 32) because --as the Commission has stated-- they are best suited to provide such service to the public."

VCPP REPLY-COMMENT:]
This is like arguing in 1950 that existing AM broadcasters must be assured they can transition to FM analog stereo.

Why? Why not instead create a system that encourages NEW ENTRANTS? The 1996 Telecom Act demands that the FCC encourage competition. This is no better way for that then to design a system that encourages new ownership entrants. What the NAB is suggesting is that the taxpayers should pay for increase monopoly, to reinforce the existing business climate.
The explosion of
1. **"satellators" and**
2. **pirate radio stations as well as**
3. **Internet Audio and the**
4. **12% loss of listenership beginning in 1989 (well previous to any satellite or Internet audio) as well as the**
5. **13,000 requests for information on starting a new station in 1997**

... indicate that actually the present broadcasters are failing spectacularly to serve a more and more diverse population!

Evidence actually suggests that the public interest is best served by making it as difficult as possible for existing broadcasters to get free access to digital services thus encouraging a flood new entrants with new abilities to create "programming innovation" as suggested by Duncan Radio Research as the actual antidote for the radio industry's increasing irrelevance.

Page 6: The NAB Starts talking out "both sides of their mouth"
"IV The Commission has failed to consider the impact of LPFM on IBOC:
On January 20,2000, the Commission adopted a Report and Order that institutes a new Low Power FM service. The Commission took this action without having any substantive evidence in the record regarding how such a service would impact the development and the implementation of IBOC DAB."

VCPP REPLY-COMMENT:]
We know *exactly* what will happen, the *same* exact thing that happens to the existing 300+ 2nd Adjacent Grandfathered Short Spaced Full Power FM radio stations.

If the NAB thought that the 2nd adjacent stations were causing so little trouble in 1996 that they should have greater freedom of movement to relocate their towers etc. ... AND

in 1996 the NAB knew that IBOC was the default choice ... AND

then the NAB themselves must not have considered 2nd Adjacent stations to be a problem!!

And since at this time, LPFM stations will be a tiny fraction of those station's power level and only on the THIRD adjacent frequencies ... NO PROBLEM.

Page 7: NAB wants to be anointed as the standard setter ...
"The Commission should look to the National Radio Systems Committee (NRSC) as the Standard setting and testing process begins for IBOC DAB."

VCPP REPLY-COMMENT:]
This is like putting the fox in charge of chicken security.

Page 8: The NAB demands that the FCC choose a standard to force on people:

VCPP REPLY-COMMENT:]
This once was true, but now with the advent of FLASH BIOS as a common feature for modems, it would be easy to require that DAB receivers also have FLASH BIOS and so be instantly upgradeable to different, even multiple decoding protocols just as modems commonly are capable of today.

Software Radio is the future of standard-setting. It would be ironic if the NAB came begging back to the FCC in ten years because a new innovative CODEC would have allowed all manner of benefits, but they were locked into a hastily assembled and barely functional CODEC.

==========
on 1/24/00
"IBOC System Evaluation Guidelines"
Adopted April 17,1999
revised May 25th, 1999
By the CEMA and NAB National Radio Systems Committee
Consumer Electronics Manufacturers Association and National Assoc. of Broadcasters.
==========

Page 5 of "Rev 1.1" labeled "IBOC System Evaluation Guidelines"

"... Broadcasters ... are especially concerned about how the hybrid IBOC signals are going to affect the existing analog signals which are the lifeblood of their businesses, particularly since the viability of hybrid IBOC system meeting the DAB Subcommittee's objectives has never been proven."

"Furthermore, there is also a strong consensus within the broadcasting technical community that of the two IBOC DAB modes, hybrid and all-digital, implementation of they hybrid mod is at least if not more technically challenging than is the all-digital mode. Given these factors, the NRSC has found it appropriate to restrict the main focus of its current evaluation to hybrid IBOC DAB."

"The emphasis placed on hybrid systems should not be interpreted as a lack of interest in all-digital design into their plans. The broadcast industry will benefit most from a system that can transition seamlessly from hybrid to all-digital."

VCPP REPLY-COMMENT:]
In other words, not even the NAB will say on the official record that DAB in its present form is worth enough dynamite to blow your nose with!

Certainly the flat sales records for DAB receivers in Europe cited by the Sony comments indicate that *even* the (see above *admission of superior* technology) Eureka pure digital system has been received with a huge yawn by the public!

Sony themselves seem to agree with Duncan Radio ... CONTENT IS KING.

If you have fired all the staff that might create "programming innovation", then the DAB signal is likely to be the same old manure with sparkles added.

The public seems to not buy this supposed advantage.

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END REPLY-COMMENTS ON NAB's COMMENTS
==========

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of Digital Audio Broadcasting Systems and Their Impact On the Terrestrial Radio

MM Docket No. 99-325
Broadcast Service.

RECEIVED
MAR 21 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

From: Christopher Maxwell
Secretary/Treasurer
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REPLY-COMMENTS REGARDING DOCKET 99-325

Please Accept this motion as Accepted for Timely Filing
Due to failure of the ECFS systems during February 2000.

Dear FCC Commissioners and staff,

Please pardon the "rough draft" nature of these comments. They are indeed notes that were waiting for full functionality of the ECFS file search system to allow us full access to all the comments provided regarding Docket 99-325.

Thus we did not have access to many of the most important documents and comments in this proceeding.

And so we will be hoping to provide additional comments that might significantly modify this comment-reply when we have full access to all comments.

REPLY COMMENTS TO Julio Posse, Sony Electronics Inc. 1/24/00 comments regarding 99-325:

First Page:
"...Sony Electronics Inc. recognizes the inevitability of terrestrial digital radio and the exciting benefits it can offer the consumer in the future."

" One obvious lesson that is sometimes too easy to ignore when enticed with new technology is the importance of weighing value against the cost to the consumer."

VCPP COMMENT:] The reason that Sony thinks it is important that Broadcasters be allowed to use packetized digital to deliver audio is that there will soon be wireless surfing of the Internet audio sites.

Why does this prove anything? Digital or not, the *vital difference* between Internet (wireless or not) is that the *Internet is point-to-point where the content is chosen and started by the individual user.*

Broadcasting (digital or otherwise) is reversed from the Internet where the *SOURCE* edits and chooses the content!

This means that this is a comparison of apples and oranges.

Digital Audio Broadcasting has NOTHING in common with Wireless Internet bitcasting other than that the audio is packetized bits of digital data. But from the user's point of view, they could not be more different!!

"There are many emerging technologies that will offer broadband Internet access. Services for fixed applications will be offered by DSL technologies, Cable Modem, LMDS and satellite services at s-mKu- and Ka-bands. It is simply a matter of time before the wireless industry can offer broadband Internet access to mobile applications, using point-to-point or broadcast connections and directly compete with Broadcaster markets. It is therefore important for the Broadcaster to be given the opportunity to convert to digital in the near future."

"The players [of Internet Audio files such as MP3] themselves are offering high quality digital audio and are increasingly becoming a more desirable alternative, in some cases, to the limited variety of music offered on the radio. This is, therefore, another reason the Broadcasting Industry needs to advance to a digital format and offer not only digital quality, but also an alternative pipe fo rthe value-added services offered over the Internet."

VCPP COMMENT:] Who wrote this?!? They keep getting cause and effect mixed up. People are buying digital audio not for sound quality but for VARIETY. They practically say that themselves but then inexplicably support a top-down system editing system of Broadcasting that Destroys the very variety that the Internet lives off of!

What Sony and the Broadcasters fail to realize is the power of the Internet music is NOT SOUND QUALITY, IT IS THE VARIETY AND THE FACT THAT THE CONSUMER DOES THE EDITING, NOT THE CORPORATION!! In the Internet, the USER starts the transmission, chooses the content of the transmission, NOT THE PROVIDER.

Thus if anything, the popularity of Internet Audio is a resounding rejection of the old "gatekeeper" model of culture distribution where a central set of "experts" tells us what we want to hear and serve it to us like so many drooling mental patients.

PAGE 2:

"Sony additionally urges the Commission to mandate a fixed analog 'sunset' date in an effort to continue fostering a transition to an all-digital service."

VCPP COMMENT:]This after they themselves noted that "it remains to be seen whether or not the proposed IBOC system can attract a market larger than simply the 'early adopters' in the interim before an all-digital system is deployed."

So in other words, Sony does not trust this system to sell in the free market and they wish to force the issue on us.

Page 3:
"Sony has seen a very slow market penetration in Europe with DAB, which employs the Eureka-147 standard. The disappointing ramp-up is attributable to a service that offers little more than improved audio."

VCPP COMMENT:] and then they condemn (accurately) the lack of anything worth buying a DAB for:

"... needs to be more of an impetus for the average consumer to adopt DAB. This impetus is either derived from a variety of new channels or new value-added services. S-DARS in the U.S. has chosen both methods. A value-added service offered by S-DARS, as an example, is commercial free radio broadcasting."

VCPP COMMENT:] In other words, greater variety of programming innovation ... like the Low Power Radio Service is designed to promote.

Page 3
"As stated by the Commission, a system that permits stations to implement an all-digital radio service rapidly may serve the public interest better than one that delays the opportunity to fully realize the benefits of DAB for possibly several years. Sony also recognizes the potential benefit of a fixed analog "sunset" date to foster a transition to an all-digital service and, believes one should not preclude the other. In fact, both may be necessary to stimulate the market to fully adopt the digital transition."

Page 4

: ... over the 12 years before the fixed analog 'sunset', proposed by USADR."

"In Europe, Eureka-147 sales have been very slow. This is largely due to there not being enough incentive for consumers to buy a more expensive radio for simply getting digital quality and very limited data services. "

VCPP COMMENT:] There it is, admission that in a free market, DAB would not be sufficiently attractive to pay even 20% more. So they want *you* to give them more bandwidth to turn our FM dial into a beeper network so they can make money regardless of whether we are impressed with their programming. WHAT IS EVEN WORSE, is that it appears that the FCC has some consensus on this idea of FORCING the marketplace into accepting less programming choices and the use of our airwaves for beepers instead of a greater variety of programming.

By widening out stations to 430kHz, we will lose access to many niche market radio stations.

For Example: This is a letter that I sent to WHRV89.5FM:

Dear Jae Sinnett,

I used to drive taxi in Richmond.

One day I discovered a gold mine, you!

When I had WHRV on the cab radio, people would practically jump over the seat back to look at the radio.

They would be very disappointed when I told them that it was a Norfolk station ... but then I would say "no, no!! You can pick it up also!"

I would then go into detail about the Cable FM service ... the purchase and use of Yagi antennas to hear you, careful choosing of a decent FM receiver and that antenna amps are no help in an urban area, you need a DIRECTIONAL antenna.
http://members.aol.com/wrfr/RFRPbroschure.html#Yagi

People were so grateful they would give me $5 tips for the radio info!

But now I hear WAUQ89.7FM in Charles city ... sometimes I can pick you up anyway ... more often not ... but when the Digital Audio Broadcasting Proposals go through, and WAUQ fattens out to 430kHz bandwidth, I fear I will NEVER HEAR WHRV EVER AGAIN!!!

Please correct me if I am wrong.

The math appears such:

NOW
WHRV ... 200kHz centered at 89.5mHz
Uses 89.4--89.6mHz

WAUQ ... 200kHz centered at 89.7mHz
Uses 89.6--89.8mHz

AFTER DAB ALLOWS 430kHz stations ...

WHRV ... 430kHz centered at 89.5mHz (assuming y'all spend the estimated $60,000 to $200,000 for the DAB transmitter)
Uses 89.285-- 89.715

WAUQ ... 430kHz centered at 89.7mHz
Uses 89.485-- 89.915

This shows an OVERLAP of 230kHz ... more than your current totality ... !!

Am I wrong or does this spell DISASTER for even your local listeners in places like Williamsburg?

```
                89.5FM
                  |
WHRV ...  89.285---- 89.715
                  |||||||| OVERLAPPING SIGNAL
WAUQ ...     89.485---- 89.915
                    |
                 89.7FM
```

Page 5:

"Today's technology will permit a spectrum efficiency of between 0.7b/s/Hz and 1.5b/s/Hz. With a 200kHz bandwidth, data rates between 140kbps and 300kbps are achievable. With PAC or AAC, near CD quality at 64kbps should be possible with enough link margin. However, in order to attract customers, CD quality at 128kbps (MPEG AAC) and a limited data capability is preferred. This still translates to a bandwidth of between 100kHz and 200kHz. Sony believes, however, that bit rates of 64-384Kbps are required to add enough value to attract customers to this new technology. The exact rate depends on whether the service would carry text, a still picture or moving picture. This additional bit capacity would require a frequency bandwidth between 200kHz and 400kHz, which is equivalent to what is offered by the all-digital system. If these rates are attempted at narrower bands, the system becomes too susceptible to frequency-selective fading and compromises robustness."

"AM which offers a bandwidth of less than 9-10 kHz should accommodate FM quality audio and a very limited

auxiliary data service. However, full stereo quality will not be available with a 9-10kHz bandwidth. A frequency bandwidth between 18-20kHz would be needed, given today's audio coding technology."

VCPP COMMENT:]It appears that Sony contradicts themselves.
In the second-to-last paragraph above,
Sony says they need at least 100kHz to 400kHz for a robust DAB CODEC.

Then in the next paragraph, they say they only need 20kHz on AM.

So which is it, do they need 100-400, or will 20kHz get them what they want?

If they really can cram a stereo FM quality DAB into 20kHz of broadcasting bandwidth, then they could get about 10 channels within each radio station of programming.

Certainly one of the arguments for DAB is "spectrum efficiency" that will allow more programming per amount of bandwidth used.

On the other hand:
GIVEN that in a "mature industry" with a "zero sum game" market means that the "common wisdom" suggests that the only way to make more money is to:
1) Create compelling new programming that takes some of your listeners (which costs staff) OR
2) Consolidate stations and then CUT staff (and programming innovation)
because there is no-where for listeners to really go ...

GIVEN that the broadcasters have consistently chosen method #2 most of the time,
(See: http://www.duncanradio.com/Major%20Warning%20Signs%20for%20Radio.htm)

GIVEN that the broadcasters would also be able to sell mobile packet data delivery services such as CUE Corporation's FM SCA and DARC channel voice beepers and trucking information service.

IT SEEMS LIKELY that the DAB broadcasters will give us one popular programming channel that actually uses 20kHz, and use the other 380kHz for proprietary subscription based wireless internet and data services. ... rather than create more programming opportunities.

Notice at the Duncan American Radio research at the link directly above, that the "historically huge decrease (of 12%) in listenership" is due to "increased spot loads and lack of programming innovation."

Duncan's research did NOT turn up a desire for "near CD quality" or "auxiliary services" such as the Radio Data Systems enabled radios that have been able to deliver the same nonaudio services since 1979.

So people will *not* (according to Sony's *own* testimony also) be attracted to the *same* programming in more expensive digital format ... and the public will *not* be attracted to the *RDS style auxiliary services* ... and history suggests that since the industry has fired the staff that WOULD *create* the "programming innovation" ...

This also then suggests that Broadcasters would be better off selling the mobile beeper and data delivery

services such as CUE corp. can offer.http://www.Cue.Net/cuereceivers/cuepccard.htm

Even Sony admits it!:

"The players (of Internet Audio files such as MP3) themselves are offering high quality digital audio and are increasingly becoming a more desirable alternative, in some cases, to the limited variety of music offered on the radio. This is, therefore, another reason the Broadcasting Industry needs to advance to a digital format and offer not only digital quality, but also an alternative pipe for the value-added services offered over the Internet."

"Sony has seen a very slow market penetration in Europe with DAB, which employs the Eureka-147 standard. The disappointing ramp-up is attributable to a service that offers little more than improved audio."

VCPP COMMENT:] There it is, "little more than improved audio." That is why European DAB is a market FLOP. The "safe" programming formats are failing to fulfill the public welfare, convenience and necessity.

We could get greater diversity of *programming values* by actually REDUCING THE SIZE OF EXISTING (OR THE NEW DAB) STATIONS AND LICENSING MORE LOW POWER FM STATIONS. Competition would equal a wider array of programming service options.

Yet the Broadcast Trusts are arguing for even more bandwidth per station , not more stations per bandwidth!
The Broadcast Trusts have proven that given the choice
between competing with "programming innovation"
and competing by buying up the competition and
using government regulation to squash competition,
then cutting staff to save money,
the Broadcast Trust has consistently chosen the latter way of making more profit.

Why would broadcasters suddenly act any different with Digital? They will continue to gut and automate and reduce the variety available as long as real competition continues to evaporate due to the ologopolistic effect of the 1996 "reforms".

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IN CONCLUSION: To borrow from President Clinton's Advisory Committee on Public Interest Obligations of Digital Television Broadcasters.:

"Acting on behalf of the American public, this is a role the Federal Government has played since the inception of broadcasting. As decreed by Congress and affirmed by the Supreme Court, *the airways are a public resource legally owned by the American People.*(2). Broadcasters are licensed to use those airwaves, acting as fiduciaries for the public good, and the Congress and the Federal Communication Commission are authorized to ensure that broadcasters fulfill this function."

"The framework for broadcasting was *first articulated by Herbert Hoover when he was serving as Secretary of Commerce in the 1920s. 'The ether is a public medium, and its use must be for a public benefit.'* Hoover said. 'The dominant element for consideration in the radio field is, and always will be, the great body of the listening public, millions in number, country-wide in distribution."(3)

"This principle is the golden thread that has run through more than seven decades of broadcasting. It was enshrined in the Radio Act of 1927 and the Communications Act of 1934 in the mandate that broadcasting serve the 'public interest, convenience and necessity.'(4) ... and has been reaffirmed by Supreme Court rulings that balance the First Amendment rights of speakers and viewers/listeners in broadcasting (5).

The transition to Digital Audio Broadcasting CAN get more information down a smaller section of the spectrum ... but will that data be the kind that provides direct benefit to the legal owners of the airwaves?

This is the "efficiency" argument. Commonly this is couched in terms of ensuring that the maximum field strength is guranteed over the broadest possible amount of the spectrum over the greatest surface of the earth with the fewest stations needed to accomplish that.

This then begs the question, WHAT is the PURPOSE of all this sound and fury? Is all this effort merely to irradiate the air? Or is it to provide program services.

In other words, Broadcasting does not serve an engineering function, it serves a social function, a social and economic function within the context of a Democratic Republic.

Therefore we ask, what of social *democratic* efficiency? This is *our* property that the broadcasters are using, the greatest efficiency from the perspective of a consumer of programming is to have the widest possible access to the widest possible variety of programming, news/views and cultures.

This *democratic* efficiency (maximum number of voices and values) is best served by a maximum number of channels controlled by a maximum number of *different* owners.

Competition is the best mechanism overall to encourage this *democratic efficiency*, as long as competition is not allowed to degrade into monopoly.

The new DAB stations should:

1) **Be prioritized for *new* entrants first. The 1996 Telecom Act was sold to the US public as an opportunity for new competitive opportunities. This is a golden opportunity to do just that.**

2) **Be just large enough to duplicate the functions of the current FM dial as it benefits the overall public (the audio programming channel and limited RDS style signals for utilities such as EAS and station ID).**

   This can be accomplished, according to what Sony has stated here, by providing the new DAB stations with no more than 40 or 50kHz of bandwidth each.

   If the owners of these new DAB stations wish to make money by selling subscription paging and mobile wireless Internet revolution services, they should bid for cellular and pager frequencies like everyone else who has entered that field has been required by law to.

3) **If the new DAB stations are going to be allowed enough bandwidth for mobile packetized data delivery, they must either be freely available and useful to the public (like Station ID information, weather maps, traffic wreck maps etc., all which would work right now with the RDS subcarrier technology) or the station must pay the average auction rate for the use of those frequencies as required by law for newly allocated spectrum capacity**

   OR

   this additional capacity can be multiplexed into a kind of "Radio Public Access Channel" for nonprofits to apply for as is provided for in the LPFM proceedings. The new DAB stations would *not* be held liable for the programming content of that Radio Public Access Channel. The host station would *have* to provide this opportunity *before* they could take that capacity on our property, the airwaves, for sale to subscription mobile data services. They *would* receive a tax break, but like Cable Public Access (using the example of Fairfax Community Access Corporation) they could not control (nor be held liable) for the content of the programming.

   This period of time would be for a full year following every renewal of license. This way a changing community with changing needs and new nonprofit programming agencies would have a renewed chance of using their portion of the public's airwaves that other wise is used purely for the profit of that lucky individual or organization that got to the public trough ... er resource, first.

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END SONY COMMENTS AND ANALYSIS

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MM Docket No. 99-325
Broadcast Service.

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OFFICE OF THE SECRETARY

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REPLY-COMMENTS REGARDING DOCKET 99-325

Please Accept this motion as Accepted for Timely Filing
Due to failure of the ECFS systems during February 2000.

Dear FCC Commissioners and staff,

Please pardon the "rough draft" nature of these comments. They are indeed notes that were waiting for full functionality of the ECFS file search system to allow us full access to all the comments provided regarding Docket 99-325.

Thus we did not have access to many of the most important documents and comments in this proceeding.

And so we will be hoping to provide additional comments that might significantly modify this comment-reply when we have full access to all comments.

REPLY COMMENTS TO THE SMALL BUSINESS ADMINISTRATION COMMENTS:

The gist of the Small Business Administration comments are that the IBOC systems need more real-world tests.

We concur.

In our original comments on 99-325, we suggested "2nd Adjacent Grandfathered IBOC test festivals" to be held all over the United States.

These festivals would involve BOTH short spaced stations running the fullest proposed version of IBOC (the 430kHz versions).

The times of the tests should be widely publicized for the citizens in that area, by all media, not just those two stations.

The public should then be invited to come and test their own radios in the areas surrounding the antennas, and in between the antennas of the two stations.

And finally the public can check out sample IBOC DAB receivers to try them out under different circumstances to see if we do indeed think that IBOC is actually worth the trouble of transition.

In fact, this comment-reply period should be extended for that test as it makes its rounds around the US.

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MOTION FOR EXTENSION OF REPLY-COMMENT PERIOD FOR 99-325 DUE TO POSSIBLE COMPROMISE OF COMMENT PROCESS PURPOSE

Please Accept this motion as Accepted for Timely Filing

Dear FCC Commissioners,

I understand that normally a request for an extension of a Comment-Reply period is expected seven days in advance of the deadline.

Unfortunately, we gave the ECFS system the benefit of the doubt and that did not pay off, we were never able to follow-up our research that required reading the Adobe Acrobat files from the organizations referenced in the other Motion for Extension we have filed with the Secretary of the FCC.

Additionally, following the 2/17/00 debate on HR3439 that concentrated on the alleged interference that the NAB and NPR maintain will be caused by the LPFM reducing the buffer from 600kHz to 400kHz … the issue of interference possibly caused by 430kHz bandwidth hybrid IBOC DAB stations with only 170kHz buffers was not covered at all!

So that Friday a quick field test was performed and significant interference from the test IBOC station was recorded.

Furthermore, it turns out that the IBOC signals causing the recorded interference was the *most minimal* of the versions proposed by NAB, CEMA, Sony, etc.

This was all discovered last Friday. And so being just a volunteer citizen who has helped train people in Cable programming for years … but is not paid to defend the interests of volunteer programmers of community media … I fear that time simply ran out before we could assemble the resources needed for our defense.

REASONING AND DETAIL BACKING UP THIS REQUEST FOR EXTENSION OF REPLY-COMMENT PERIOD FOR THREE MONTHS:

The *purpose* of Comments and Reply-Comments is to get as much feedback on a proposed new set of regulations and technologies and services so that disaster is averted *before* a service is implemented. This purpose has been subverted by a test that only tests the *least* intrusive version of the proposal, rather than the *conservative* approach of testing the *most* intrusive version.

Current IBOC-DAB field tests at WJFK 106.7FM are measuring the performance of a *proposed* 430kHz bandwidth service with a 70kHz test!

This is like testing a new race car at 25mph when people will be using it at 200mph.

A full test of the 430kHz bandwidth version of IBOC would in this case, spread WJFKs bandwidth from 106.6--106.8mHz *now* to a signal that will cover 106.485--106.915mHz.

Already two receivers (in this case, a handheld digitally tuned shortwave and Broadcast Band receiver and an automobile radio) in Northern Virginia or Southern DC attempting to tune in WWMX 106.5FM from Baltimore can pick up a distinct "buzz saw" noise from the IBOC digital carriers on WJFK 106.7FM. This 'buzz saw' interference was evident for about 20 *miles* around the WJFK antenna.

What will happen to listeners of Northern Va. WJFK and Washington D.C. WRQX 107.3FM if *both* stations are running 430kHz hybrid IBOC carriers? This would increase WRQX's signal bandwidth to 107.085-- 107.515. There would only be a buffer of 170kHz between the edges of their signals instead of the standard accepted 600kHz minimum buffer for full power stations.

Considering that opponents of LPFM have claimed that even the 400kHz buffer provided by the LPFM service rules is too small for a 100 Watt LPFM station to operate without interference, one has to wonder what happens with 20,000+ watt stations with only 170kHz of buffer!! A *full* test would confirm what would happen.

The Small Business Administration comments on 99-325 also recommend an *active* involvement of the public and the 95% of small business stations that may not realize what is at stake. An *ample advertising campaign* to the public to come and hear for themselves and comment on their experiences can head off adverse reactions later.

Thus the Reply-Comment period for Docket 99-325 should receive consideration to be extended at least three full months *during* a full test of WJFK *and* WRQX with the *full* proposed system in place.

Sincerely,
Thank-you for your consideration of our concerns,
Christopher Maxwell