

ORIGINAL

MM 99-251

EX PARTE OR LATE FILED

From: "James W. Foster" <jwfoster97@aol.com> on 01/23/2000 01:07 AM GMT  
Please respond to "James W. Foster" <jwfoster97@aol.com>

RECEIVED

MAY 22 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

To: president@Whitehouse.GOV  
cc:  
Subject: Low Power FM Radio Service

[Connection Information]

CLIENT: 152.163.213.204 [152.163.213.204]  
BROWSER: Mozilla/4.0 (compatible; MSIE 5.0; AOL 4.0; Windows 95;  
DigExt)  
URL: http://www.whitehouse.gov/WH/Mail/html/Mail\_President.html

[Sender Information]

PERSONAL-NAME: James W. Foster  
EMAIL-ADDRESS: jwfoster97@aol.com  
ORGANIZATION: Citizen  
RELATIONSHIP: Citizen  
STREET-ADDRESS: 7300 Murkins Road  
CITY: Kansas City  
STATE-PROVINCE: Missouri  
ZIP-CODE: 64133  
COUNTRY: USA

[Message Information]

PURPOSE: Seek assistance from the White House  
TOPIC: Legislation  
AFFILIATION: Private Citizen  
SUBJECT: Low Power FM Radio Service

[Message]

Dear President Clinton,

I strongly supported the creation of a Low Power FM (LPFM) radio service as outlined in the FCC's Notice of Proposed Rulemaking in docket MM 99-25.

The FCC voted at its Jan 20th meeting to severely limit this proposal (NPRM) providing for only non-commercial stations with maximum power of 100 watts and to keep the 2nd adjacent frequency protections. To place such severe limits on LPFM has doomed this service before it even begins. I am pleased with the approval of this new FM radio service but it could have better served the American public in its original form as proposed by Rodger Skinner and others. I feel that the FCC fell far short of a viable and workable low power radio

No. of Copies rec'd 0+1  
List ABCDE

service. The approval of this service did absolutely nothing to help the citizens of the larger radio markets who want and expect more from their local radio station. Major radio conglomerates outside of our local communities own almost all of our stations here in Kansas City. Entercom alone owns 11 stations here in the Kansas City market. This is totally ridiculous and unfair and I feel that it is a monopoly and a violation of anti-trust laws.

Thousands of comments filed in MM 99-25 supported the creation of a 1000 watt and 100 watt stations allowing for commercial and non-commercial operation and for the removal of 2nd adjacent frequency protections. For the FCC to have ignored this public mandate and to have caved in to political pressure from the National Association of Broadcasters (NAB) is a disgrace and the use of such anti-competitive actions by the NAB should be investigated by the Justice Department.

The NAB claims that the new LPFM stations would cause interference to existing stations. Several studies including a FCC study has proved this to be totally incorrect. Today over 460 full power stations operate without these 2nd and 3rd adjacent frequency protections. The NAB simply does not want competition for listeners or advertising revenues for its member stations.

Members in Congress have now introduced H.R. 4349, the Oxley/Stearns bill, to stop the FCC from implementing this new FM service and to ban it forever. A companion senate version is rumored to be introduced soon by Senator Gregg. I am strongly opposed to these bills and feel that the NAB, the most powerful lobby in Washington, has overstepped its bounds and unduely influenced Congress against the wishes of the American public on this issue.

I would hope that you will protect my interests and those of the American people who want a new FM radio service and better radio for their community by publicly supporting this new FM service and to veto any legislation that will prevent the implementation of this vital and important new FM radio service.

Please let me know how you stand on this issue.

Respectfully,

Jim Foster 7300 Murkins Road Kansas City, Missouri  
64133-7002 816.356.5898