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PROJECT

February 14, 2001

Magalie Roman-Salas
Secretary, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

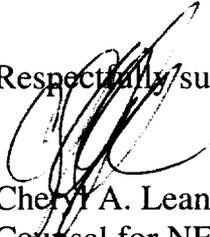
Re: **MM Docket No. 95-31 /**
Written Ex Parte Presentation

**Non-Commercial Educational Comparative
Standards Reconsideration Order**

Dear Ms. Roman-Salas:

The attached letter was presented to Federal Communications Commission Chairman Michael Powell, along with Commissioners Furchgott-Roth, Ness, and Tristani on February 14, 2001. Pursuant to Section 1.1206(b)(1) of the Commission's rules, the attached letter and one copy are submitted here for inclusion in Docket 95-31.

Respectfully submitted,


Cheryl A. Leanza
Counsel for NFCB, et al.

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NFCB

National Federation of Community Broadcasters

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

February 12, 2001

Michael Powell
Chairman
Federal Communications Commission
The Portals
445 Twelfth Street, S.W.
Washington, DC 20554

Dear Chairman Powell:

I am writing on behalf of our 150 community radio station members to urge you to move forward with the Non-Commercial Educational Comparative Standards Reconsideration Order, MM Docket 95-31. This proceeding has been underway in some form since 1992 and the public is suffering because there has not been a way to decide between competing applications for non-commercial educational ("NCE") radio frequencies. In addition, the freeze on new NCE filings which was instituted last April has effectively frozen all new applications in the non-commercial band.

As a result:

- Many stations are not able to apply for funding from the Commerce Department for new stations, increases of power, translators or other major changes because they cannot apply for the necessary FCC license.
- There are communities without any local broadcaster that are being denied a station because the community applicant is blocked by a competing application--often from an organization from another state or part of the country. This situation has often been going on for years.
- At a time when the Corporation for Public Broadcasting has set aside funds to help expand the reach of public radio to the last 10% of the population which does not receive a public radio signal, no one can file applications to provide this coverage.

Just two examples out of many that we could tell: Truckee Meadows Community College in Reno, Nevada filed for an NCE FM frequency in 1995 and has been caught in a mutually exclusive situation for the last six years. Hundreds of thousands of state taxpayers dollars necessary to buy the appropriate on-air equipment have languished as they have waited for the FCC to resolve the conflict over the frequency. This group plans to provide local public affairs and news, programming for children and seniors and for the Native American community. No other station in the area is providing this programming.

KMUN in the Astoria/Long Beach, Washington area decided long ago that to adequately serve this very rural area they needed a second frequency. This would provide their listeners with a national and local news and information service and also a cultural stream of programming. Because the area can only support the infrastructure of one radio station, this would be an efficient way to provide service to this community that people in urban areas take for granted. They applied for a frequency and were immediately MX'ed (a mutually exclusive application was filed in competition to their application). There are no other frequencies available, partially due to a television Channel 6 interference problem. So one station has to try to cover all the radio needs of the community. The people of Astoria have been waiting for the FCC to resolve this conflict, hopefully in favor of local service.

We were very hopeful last year when the Report and Order was issued that, at long last, we would have a relatively simple way of deciding between competing NCE applications. Although we believed that the Point System could be improved, at this point we are simply interested in moving forward so that the tremendous backlog of applications can be resolved. We are happy to see Low Power FM moving forward quickly but hope that at least the same level of service can be dedicated to these groups that have been waiting for years.

Please give this your speediest attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carol Pierson". The signature is written in black ink and is positioned above the printed name and title.

Carol Pierson
President and CEO