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Federal Communications Commission
Marlene Dortch, Secretary
445 12th Street S.W. -- The Portals
Washington, DC 20554

RE: Reply To Oppositions To Petition For Reconsideration (Docket 99-325)

Dear FCC Commissioners and Staff:

I hereby submit this Reply to Oppositions filed in FCC Docket 99-325 by the National Association of Broadcasters (NAB) and iBiquity Corporation, respectively.
The Oppositions were filed on February 19 and posted on the Electronic Comment Filing System on February 24. Both documents oppose a Petition For Reconsideration that was filed by The Amherst Alliance, and dozens of other parties, on October 25, 2002.
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I am a former broadcast engineer with extensive experience in Medium and Short Wave Amplitude Modulated broadcast facilities. I am also a degreed electrical engineer and member of the IEEE. (Institute of Electrical and Electronic Engineers). I am also an Amateur Extra Amateur service licensee. I have also been part owner of a Class C Medium Wave Broadcast station. I also hold a general radiotelephone operators license with radar endorsement.

I am opposed to the Oppositions. I urge the Commission to reject the two Oppositions and act favorably on the October 2002 Petition For Reconsideration.

In the 4 months since the October 2002 Petition For Rulemaking was filed, the evidence against "interim" IBOC Digital Radio broadcasting has mounted steadily. So has the number of visible, vocal opponents.

My comments are limited to digital broadcasting in the Medium Wave broadcast band only, and not intended to comment on digital broadcasting in the VHF FM band 88-108 Mhz.

IBOC is technically a misnomer as the digital portion of the signal is NOT on channel but actually in the adjacent channel in the Medium Wave Broadcast service (535-1705 khz). Comments have been made by proponents that the signal meets the criteria of the NRSC mask (National Radio Standards Committee), but those standards were not intended for constant signal levels in the adjacent channels, only transient peaks on analog amplitude modulation.

Regarding proven incidents of IBOC interference, I urge the Commission to consider with special care the February 11 Reply Comments of Frederick Vobbe, a broadcast engineer in Ohio. I add, however, that other recent filings in FCC Docket 99-325 have also included reports, including firsthand reports, of IBOC interference with other radio stations.

Mr. Vobbe has submitted empirical evidence of intolerable adjacent channel interference, loss of signal coverage of even Class A stations, and loss of skywave reception. In many cases, in emergencies such as weather and national emergencies people rely on the reception of these major stations for news and information that they cannot get from any other broadcast service. Currently, many of these stations are protected to a radius of 750 miles. This far exceeds their city grade signal levels. This was done so that rural areas would be able to receive these stations via skywave. Due to the severe adjacent channel interference caused by IBOC as it is currently configured, these people will lose access to these stations. As an aside to this, if nighttime IBOC authorization is allowed to proceed, then, I also feel that these stations no longer need the 750 mile protection since they will no longer serve that population, thus allowing daytime or restricted hours stations within those radii, to commence nighttime operation.

I believe that the solution to increased fidelity and audio quality on medium wave broadcast stations lies in mandating receiver standards, not limiting the transmitted analog audio bandwidth to 5 khz. I also feel that the present analog service provides superior fidelity to the low bandwidth digital IBOC signal. I've listened to the IBOC signal samples as provided by radio station WOR 710 khz in New York. I could hear noticeable digital artifacts sometimes known as swishing sounds in the provided audio clips on their internet web site. And these samples were not even recorded "off air". These audio samples came right from their audio chain after digitalization. I recall medium wave only receivers manufactured up until about 1965 having superior fidelity.

I agree with the October 2002 Petition For Reconsideration that authorization of IBOC broadcasting, whether "interim" or otherwise, should not have been even considered until after the Commission had: (1) initiated and completed comprehensive testing and evaluation of competing Digital Radio technologies … (2) completed comprehensive studies and real world testing of adjacent channel interference to currently licensed medium wave broadcast facilities..

Please prevent an avoidable reduction in the number of choices on the radio dial.

Reject both Oppositions, and approve the October 2002 Petition For Reconsideration, as soon as possible.

Respectfully submitted,

Paul W. Smith