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May 19, 2003

FCC Chairman Michael Powell  
FCC Commissioner Kathleen Abernathy  
FCC Commissioner Jonathan Adelstein  
FCC Commissioner Michael Copps  
FCC Commissioner Kevin Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street S.W. -- The Portals  
Washington, D.C. 20554

**RE: The Great Translator Invasion**

Dear FCC Commissioners and Staff,

Perhaps you have never heard of “The Great Translator Invasion”, but virtually every current and aspiring Low Power FM broadcaster in the country has heard of it. This phrase is the LPFM community’s nickname for the tidal wave of translator applications that swamped the FCC during the Filing Window of March 2003. As a citizens’ group which supports LPFM, and other new voices in the media, we are well aware of the term.

Within the course of a few days in March, *over 13,000 translator applications* were filed. According to research conducted by REC NETWORKS of Mesa, Arizona, only 15 groups accounted for more than half of these translator applications. Only 2 groups accounted for almost one third of the applications. All or most of the groups appeared to have an evangelical Christian orientation -- and several of them appeared to have direct or indirect connections with Twin Falls, Idaho, home of the Calvary Chapel evangelical broadcasting chain. As you know, Calvary Chapel has submitted a Petition For Rulemaking, in FCC Docket RM-10609, which would greatly expand the potential use of satellite-fed translators (“satellators”), in the unfortunate event that it were granted.

Putting the pieces of the puzzle together, it appears that small groups of evangelically oriented broadcasters have launched a massive and coordinated effort to reserve *virtually all* currently unused frequencies for their future translator stations. If successful, these few groups will have grabbed for themselves -- at the expense of future LPFM stations, locally based translators and even *other evangelical broadcasters* -- the nation’s *entire* margin for future growth in this kind of Non-Commercial Educational broadcasting.

No wonder the Colorado-based NATIONAL TRANSLATORS ASSOCIATION, representing translator stations in general, has asked the FCC to “freeze” all translator applications until new rules for translator licensing have been developed, debated and approved. We are heartily in agreement with their call for a moratorium, as expressed in their February 12, 2003 Written Comments in FCC Docket RM-10609.

We also note that REC NETWORKS has already brought this matter to your attention, in a letter dated May 8, 2003. Electronic copies of this letter were filed by REC NETWORKS in various relevant and ongoing FCC proceedings, including FCC Docket RM-10609 (the Cavalry Chapel Petition For Rulemaking to allow more satellators) and FCC Dockets 02-277, 01-235, 01-317 and 00-244 (the media ownership Dockets).

At this time, we neither endorse nor oppose any of the specific policy recommendations offered by REC NETWORKS -- *except* for the call to investigate possible violations of statutory and/or regulatory law by some of the “invading” applicants -- but we certainly join REC NETWORKS in viewing The Great Translator Invasion as cause for alarm. We have witnessed a patent attempt to abuse the translator system, on a scale which has never been attempted -- or, to our knowledge, even contemplated -- before.

We agree with NTA that any reconsideration of translator policy should include an evaluation of how In Band On Channel (IBOC) Digital Radio broadcasts are affecting FM translators -- and other small broadcasters, including Low Power Radio stations, on the FM Band. We also agree with REC NETWORKS that any reconsideration of translator policy should include *the general subjects* of maximum permissible filings and holdings per applicant ... full disclosure of financial, organizational and logistical connections by applicants ... and satellators. It is our own view, at THE AMHERST ALLIANCE, that satellators should always be assigned a lower priority Service Status than either Low Power Radio stations *or* truly local translators.

To reiterate, we urge you to:

- Deny Calvary Chapel’s Petition For Rulemaking in FCC Docket RM-10609
- Heed the National Translators Association’s call, in FCC Docket RM-10609, for a “freeze” on all pending translator applications until the current rules have been reconsidered and reformed
- Initiate reconsideration and reform by linking the “freeze” on translator filings to issuance of a proposed rule or Notice Of Inquiry on translator policy

*And*

- Act upon REC NETWORKS’ call, in its May 8 letter to each of you, for an investigation of possible violations of law by the recent “invaders”

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Letter Re: The Great Translator Invasion  
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Sincerely,

Don Schellhardt  
Attorney For THE AMHERST ALLIANCE

*CC (Via E-Mail):*

FCC Docket RM-10609  
FCC Docket 02-277  
DCC Docket 01-317  
FCC Docket 01-235  
FCC Docket 00-244

Byron W. Sinclair, President, NATIONAL TRANSLATORS ASSOCIATION, Wheat  
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