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December 31, 2003

Federal Communications Commission
C/O Office of the Secretary
Washington, D.C. 20554

RE: Action Items For The FCC's Localism Task Force (Docket RM-10803)

Dear Commissioners and Staff Members of the FCC's Localism Task Force,
I am a supporter of local community based broadcasting and I would like to submit my comments and recommendations on this subject. I commend the FCC for initiating the Localism Task Force. The first step in restoring localism is protecting, and expanding Low Power Radio. Low Power Radio is LOCAL Power Radio. I urge the Task Force to make these recommendations to the full Commission:

1.) EXPEDITED RELIEF ON TRANSLATOR AND SERVICE STATUS REFORM

The Task Force should seek immediate action, by the full Commission, to answer the urgent call for translator and Service Status reform in a November 14 Petition For Rulemaking, filed by THE AMHERST ALLIANCE and 52 other parties. The parties include Low Power and full power broadcasters, plus secular and religious broadcasters.

The Petition calls for Tertiary Service Status for "satellators", and other long distance translators, as well as numerical limits on ownership of translators. The Petition also urges an investigation of misrepresentations, and other abuses, in translator applications.

2.) ADJACENT CHANNEL SPACING REFORM FOR THE LOW POWER FM RADIO SERVICE

The Task Force should seek immediate action, by the full Commission, to recommend Congressional action to repeal the current statutory requirement for third adjacent spacing for Low Power FM stations. This recommendation is amply justified by conclusions of the FCC's own technical staff, in studies conducted in 1999, and by recommendations of the MITRE Corporation, following Congressionally mandated independent studies in 2002. The MITRE Report was made public on July 10 and the deadline for public comments, in FCC Docket 99-25, expired on October 14. It is time for the FCC to recommend the obvious.

3.) ESTABLISHMENT OF A NEW LOW POWER AM (LPAM) RADIO SERVICE

Consideration, by the Localism Task Force, of the recently filed Petition For Rulemaking to establish a new Low Power AM Radio Service -- coupled with an ultimate decision, when the Task Force prepares its recommendations to the full Commission during the summer of 2004, to urge the issuance of a Notice Of Proposed Rulemaking on LPAM. The starting point for Task Force action should be the Petition For Rulemaking that was filed by Fred Baumgartner, C.P.B.E. of Colorado. That Petition was placed in the Localism Task Force Docket through a filing on October 22.

In some areas, the FM Band is so crowded that even LPFM channel spacing reform will not open up frequencies for Low Power Radio. In Metro Detroit, Metro Boston and other urban areas, LPAM may be the only way to license any Low Power Radio stations.

The Baumgartner Petition is a good starting point, but I would like to suggest some alternatives to some points made in that petition:

1- The proposed "100 Watt LPAM Service" should be restricted to counties where the largest community in that county numbers no more than 35,000 persons as listed in the most recent US Census, and also no closer than 20 miles to any community where the population exceeds that amount, regardless of location. This simple rule should be effective at making sure this service is utilized only in truly rural areas of the country. I understand that 100 watts of RF power at

medium wave frequencies in a generous amount, and the granting of licenses for such a service should be held to the tightest of standards to minimize co-channel, adjacent channel and skywave interference.

2- While we are in agreement with the petitions co-channel distancing proposal, we would like to extend the limitation of placing a proposed "100 Watt LPAM Service" station no closer than 45 miles to any existing Travelers Information Station (TIS) installation on the same frequency. Also, because some localities move their TIS installations from time to time to meet local agency needs, there should be a rule that no TIS station may be installed and operated within 45 miles of a licensed 100 watt LPAM Service station. This protection should also be extended for such instances where a new TIS license is applied for.

3- Frequency allocation for any proposed "LPAM" station should be restricted to a spacing of no less than 40khz away from any existing licensed station within 20 statute miles of the applicant's location.

4- Current rules pertaining to the nighttime skywave protection of Class A "Clear channel" stations be maintained and applied to any LPAM Service application. Such stations permitted to operate on US or Canadian clear channels should be required to reduce power to 10% of the daytime operating power or 5 watts, whichever is lesser, or be required to shutdown at local sunset. For a 30 Watt LPAM station, the nighttime power output would be 3 watts.

5- The proposed use of horizontal dipole antennas should not be allowed, as most of the power radiated by such antenna designs is aimed directly at the sky, and thus could cause significant skywave interference on the proposed frequency. A requirement for a vertical radiator should be mandatory.

6- Call letter assignment should follow the current 4-letter K & W call system already in place for broadcast stations, followed by a new "LA" (or similar) suffix. A mandatory station ID requirement should be in effect where the licensed LPAM station must insert a full Call Letters - City of License ID into it's programming at the top (:00) and bottom (:30) of every hour. These ID's can occur at natural breaks in the stations programming, but should not deviate more than 3 minutes from the requirement.

7- There should be no requirement on any percentage of gross ad revenues being applied to licensing fees. Any FCC fees should be flat-rate, based on the size (power level) of the station. This will alleviate some of the burden that would be required by FCC staff for figuring out annual (or periodic) licensing costs.

8- The original petition states "The petitioner suggests that licensed LPAM stations should be required to provide no less than 8-hours of service nor permitted to broadcast more than 85-hours for each licensed entity, in a given week" This comment should be excluded, as it conflicts with any station attempting to operate on an unlimited schedule, as also proposed in the same petition. There should be a minimum requirement for local content or service, but no maximum.

I also endorse improvements recommended in December 5 Written Comments by THE LPAM TEAM, an affiliate of THE AMHERST ALLIANCE regarding the creation of a mechanism for resolving possible interference disputes between LPAM stations, and reducing the proposed minimum mileage separations between LPAM stations and full power stations.

For the reasons indicated, I urge favorable action on the recommendations above.

Sincerely,

Andrew MacKenzie