

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, DC 20554

In the Matter of )  
 )  
Digital Audio Broadcasting Systems ) **MM Docket No. 99-325**  
and Their Impact on the Terrestrial )  
Radio Broadcast Services )

To: The Commission

**ERRATUM TO JOINT COMMENTS OF THE LIVINGSTON RADIO  
COMPANY AND TAXI PRODUCTIONS INC.**

1. The Livingston Radio Company (“Livingston”) and Taxi Productions, Inc. (“Taxi”), filed Joint Comments in this proceeding on June 16, 2004. The *Erratum* is submitted to correct two factual errors in the Joint Comments as initially filed and to clarify the power limit that the joint commenters advocated.

2. The second sentence of Paragraph 5 of the Joint Comments understated the analog licensed effective radiated power of KSCA and KIIS-FM. The text should have read:

KSCA operates with 4.8 kW ERP at 863 meters HAAT.  
KIIS-FM operates with 8 kW ERP at 902 meters HAAT.

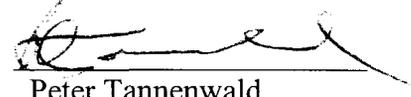
3. It is also worth noting that KSCA and KIIS-FM, besides being superpowered, do not meet the mileage separation requirements of Section 73.207(b)(1) of the Rules, and are thus “short-spaced” to KJLH, which exacerbates the interference problem. WBCT is not short-spaced to WHMI-FM, but its power is so high that interference is still caused. Thus the superpower interference issue exists, and requires the Commission’s attention, in both short-spaced and fully-spaced situations.

4. If the digital ERP for these three superpower stations is limited to 20 dB below the limit for their class, as urged in the Joint Comments, then taking into account the antenna heights

of these stations, permissible ERPs would be 9.4 watts for KSCA, 8.5 watts for KIIS-FM, and 202 watts for WBCT.<sup>1</sup>

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Respectfully submitted,



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June 18, 2004

Counsel for The Livingston Radio Company  
and Taxi Productions, Inc.

### CERTIFICATE OF SERVICE

I, Daniella K. Mattioli Knight, do hereby certify that I have, this 18<sup>th</sup> day of June, caused a copy of the foregoing "*Erratum* to Joint Comments of The Livingston Radio Company and Taxi Productions, Inc." to be sent by first class United States mail, postage prepaid, to the following:

Thomas M. Sullivan, Esq.  
Chief Counsel for Advocacy  
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Daniella K. Mattioli Knight

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<sup>1</sup> These numbers are based on the fact that at normal class limits, without grandfathered superpower, KSCA would be limited to 940 watts ERP at its antenna height, KIIS-FM would be limited to 850 watts ERP, and WBCT would be limited to 20.2 kW ERP.