

This NPRM does not adequately address the problem of displaced LPFM stations. A "displaced" station is a station built in accordance with the minimum distance table, which subsequently becomes short-spaced because of the application of a full-power station to change transmitter site. The Commission specifically rejected changes to Sec. 73.870(b) to allow a channel change outside of window filing periods. Instead it proposes here to amend Sec. 73.809 to weaken interference protections to the full-power stations.

The more rational solution would be to mirror the procedure available at Sec. 73.509 which allows Class D stations to locate another channel when a transmitter site move by a full power station would otherwise force the Class D station to leave the air. This could be specifically limited to licensed LPFM stations who become short-spaced due to later changes by co- or adjacent channel full power stations.

I am an attorney and hold an FCC lifetime General Class license. I have prepared, on a volunteer basis, several applications for the LPFM service. As the owner of two full power FM broadcast stations, I would much rather provide engineering, financial and technical help to move an LPFM to a new frequency, than engage in a long argument over the amount of interference caused by the LPFM to the (new ) coverage area of my full-power FM station.

TRANSLATORS: The Commission created its own mess by allowing its staff to re-interpret sub-division (d) of Section 74.1204 to a point where this exception to the rule threatens to swallow the entire interference protection rule. Section 74.1204 prohibits new FM translators from locating at sites that would cause prohibited overlap between the translator station and the protected contours of existing broadcast station on co and adjacent channels. Sub-division (d) is the exception, allowing this interference in "uninhabited" areas. Hence a translator applicant can propose to build its station at a site within the normally protected contour of the full power station if the ratio of contours doesn't exceed maximum limits in these "uninhabited areas." This can cause real interference to the full power station because the ACTUAL signal level of that station near the proposed translator site may be (and often is) lower than projected by Sec. 73.313 charts. Hence the translators are allowed to create new pockets of interference inside the full-power stations protected contour. (For most stations, this is the 60 MV/m contour) See the recent Running Spring and Louisville Public Library/WFPL decisions.

By dismissing any translator applications proposing sites within the protected contour of full-power stations, the Commission could eliminate large numbers of these applications now clogging its processes.

As to the proposal regarding the priority of translators and LPFMS, we would urge protection of existing fill-in translators against new or modified LPFM applications. Since LPFM applicants are supposed to be local, they can easily determine which translators provide fill-in service by simply

listening to the translator station. These translators augment the local service of full-power stations who may be shadowed by terrain inside what would otherwise be part of the normal service area of that station.

On the other hand, we agree with petitioners who urge the removal of protection from translators that are not used as fill-in translators.

As noted, many are used to relay distant stations by satellite feeds, and provide no programming of local interest. Other translators claim to relay distant stations off-air, but a realistic evaluation of local propagation and interference conditions would indicate that these translators must be using alternate means to feed the signal to the translator. Certain religious broadcasting networks are well known for proposing to create networks of translator stations, by relaying signals from one translator station to another, then another.

Allowing LPFM's to displace these translator stations would be a better use of the spectrum.