

**Before the
Federal Communications Commission
Washington, D.C.**

In the Matter of)
)
Creation of a Low Power) MM Docket No. 99-25
Radio Service)
)

To: The Commission

COMMENTS

MBC Grand Broadcasting, Inc. (“MBC Grand”), through counsel, hereby submits its Comments concerning the FCC’s *Second Order on Reconsideration and Further Notice of Proposed Rulemaking*, MM Docket 99-25, FCC 05-75, released March 17, 2005 (the “*FNPRM*”). MBC Grand is the licensee of four full-power FM stations, KJYE, KMGJ and KMOZ-FM, all licensed to Grand Junction, Colorado, and KSTR-FM, Montrose, Colorado, which is part of the Grand Junction radio market. It is also the licensee of four fill-in translator stations that rebroadcast the signal of KJYE, and a number of independently-owned and operated translator stations rebroadcast the signals of the MBC Grand stations in locations across the Western Slope of the Rocky Mountains. MBC Grand is also an applicant for additional FM translators to provide fill-in service in areas where reception of its full-power stations is impaired by local terrain conditions.

In the *FNPRM*, the FCC tentatively concludes (§ 31) that “it is appropriate to reevaluate the current co-equal status of LPFM and FM translator stations,” and asks a number of questions, including (§ 33) whether LPFM stations should be considered “primary” vis a vis previously authorized translators and previously-filed translator applications; whether

LPFM stations that provide local programming should be given primary status, and whether there should be classes of translators, such as “fill-in” translators that would be protected and “other area” translators, i.e., translators located beyond the originating station’s 60 dBu contour. While it may be “appropriate” for the FCC to *consider* changing the status of LPFM stations, the answers to the above questions posed by the *FNPRM* are, in each instance, an emphatic “no.”

The first FM translators on the Western Slope were constructed in 1974, bringing the first FM service to such communities as Montrose, Lake City, Glenwood Springs, Aspen, Rifle, Telluride, Crested Butte, Rangely, Meeker and Carbondale. Without exception, these original translators are still on the air, providing service on which the residents of those communities have relied for more than 30 years.

Many of these early translators were installed by city or county governments, or local non-profit organizations formed for the specific purpose of providing translators. Pitkin, Rio Blanco and Montezuma counties still hold translator licenses to serve their communities.

Translators still provide vital service to rural and underserved areas. The KJYE translators are an integral part of the Emergency Alert system in western Colorado. They are the main conduit of emergency information to Garfield, Rio Blanco and Moffet counties, including communities up to 120 miles from Grand Junction. KJYE provides these counties and parts of Utah with emergency weather information, particularly summertime flash flood warnings. MBC Grand works closely with the National Weather Service in Grand Junction, which provides weather information to an area larger than the entire state of Iowa. One announcement on KJYE can reach forty communities instantly. Because KJYE is a

backbone of the emergency response system, weather alerts are always broadcast instantly as soon as they are available.

KJYE also worked with emergency planners in Pitkin County, and in Aspen, Colorado (some 135 miles from Grand Junction, preparing for Y2K in December 1999. Back-up generators at KJYE's main studio, transmitter site and translator locations in Pitkin County assured local officials of a way to communicate with residents if fears associated with Y2K came to fruition.

Translators also provide important economic and civic benefits. Because of the widely scattered population on the Western Slope, translators greatly simplify the job of reach the entire area. An advertiser would have to buy space in many community newspapers, and civic organizations would have to place public service announcements on many stations, to reach the entire market or community of interest. KJYE broadcasts public service announcements over its translators concerning county fairs, local concerts and major community events in some thirty different communities. These announcements bring thousands of listeners from distances of up to 100 miles and more to another community's events.

The translators on the Western Slope provide these important public interest functions whether they are "fill-in" or "other area" translators. (In the Rocky Mountains, terrain is obviously a factor in receiving FM signals.) Displacement of any of these translators by LPFM stations could potentially disrupt entire networks (because many translators are fed via relays of several translators). Service to a wide area with common economic and other interests could be displaced by a patchwork of small, geographically-isolated low power stations ill-equipped to provide the high-quality service Western Slope

residents have come to rely upon for more than 30 years. "Benefits" from additional local programming from LPFM stations would, moreover, be illusory, as the service currently provided by translators is, as shown above, already local, meaningful, and efficient.

For the foregoing reasons, the FCC in this rule making proceeding should not take any actions which could potentially jeopardize the important public services provided by FM translators in sparsely populated and underserved areas.

Respectfully submitted,

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