Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC, 20554

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

Commenter is a licensee and/or applicant for both full power AM and FM stations and FM translators and boosters.

I comment personally and without benefit of legal counsel as one whose background includes on-site general management and/or ownership of three full service community AM stations between 1980 and 1995. I also founded (in 1993 and 1999) and still operate four small full service community-oriented FM stations, which are managed on site by local general managers.

Each of the three full service community AM stations I operated from 1980 through 1995 had relatively sizable news departments of from three to seven news staffers, and covered and discussed community news and area events extensively on the air, boosting a sense of local community, rewarding community volunteers with public praise, increasing public awareness of, and involvement in, local government and civic affairs.
Today, none of the three stations remains in a full-service, community-oriented format, either because AM listening levels are now too low to attract and hold a mass audience, or because automated and/or satellite programming provides a more cost-effective, profitable, hassle-free, and far less labor-intensive way to create programming that meets the minimum standard to sell advertising and retain their licenses.
Further, I believe that full service community programming could not survive or effectively compete today on most full power AM or FM facilities in today's consolidated marketplace that is dominated by corporate interests whose stated objective is the maximization of shareholder value, even (and, in fact, almost always) at the expense of service to the public interest as traditionally defined.

It is noted that the commenter does not find fault with the lawful exploitation of existing rules, but rather with the rules themselves to the extent that the Telecommunications Act of 1996 acted to discourage and diminish local ownership and community service by radio stations in the United States.

However, in considering this matter, the Commission must be mindful of, and must insulate itself appropriately from, the accumulated power and political influence of corporate-dominated "big media," "big radio," and similarly, their industry lobby group, the National Association of Broadcasters. These have a fiduciary obligation to use any and every available lawful means to oppose any changes that could ever

conceivably compete, however minimally or remotely, with their ability to maximize value for their shareholders while still remaining above the minimum standards established by the Commission's (substantially weakened) public interest requirements.

The four full service community-oriented FM stations I operate are in rural areas and perform the same roles in their communities as the aforementioned community-oriented AMs once did, thanks to dedicated small staffs using inventive and cost-effective ways to provide community service, and automation to control expenses.

We make extensive use of live guest interviews with newsmakers, public officials, representatives of civic organizations, and local residents in-studio or by telephone, together with live broadcasts from community events in order to achieve a high level of community service without incurring undue expense.

By conventional Commission public interest standards, the use of an allotted frequency to provide locally-focused, locally-originated programming is superior to programming rebroadcast from non-local stations or markets, or fed by satellite via local facilities from faraway locations (such as, as is typical in many cases, Twin Falls, Idaho.) Many LPFMs can and do provide such local programming and public service, as well as alternative music and talk formats unavailable elsewhere, while very few corporate-owned full-power stations do.

It follows that under the public interest standard the use of a frequency for a local LPFM station that originates local programming should be preferred to a translator of more distant programming.

Hence, it should be a Commission priority to encourage and support the LPFM service as a means to begin to partially, in a small but highly localized way, reverse the overall diminution of public service by the radio broadcast services that has occurred since 1996.

However, I believe the Commission should be thoughtful and judicious in allowing the conversion of presently authorized frequencies from FM translators or "satellators" to LPFM service, specifically:

1. FM translators owned by and with service areas contained within the primary service contours of co-owned primary stations should be fully protected from conversion to LPFM service by new applicants. Relatedly, applications for such FM translators should be permitted at any time (i.e. not just within a window) provided they are within two (or three) channels of the primary station.

Like booster facilities, for which applications are acceptable for filing at any time, first second (and third) adjacent FM translators can only be allotted on a non-interference basis to the primary station (because the standard under Section 74.1204 for interference is listener complaints rather than solely technical criteria.)

Therefore it is in the public interest to allow a primary station to provide fill-in service either on-channel OR on an adjacent channel on which only they can operate on a non-interference basis (as defined by Section 74.1204), and to accept applications to do so at any time not just for on-channel FM boosters, but also for FM translators on channels that are first, second (or third) adjacent to the primary station.

2. Permittees of existing FM translators should be permitted to convert their authorizations to LPFM authorizations and then originate local programming under LPFM rules. If the Commission allows LPFM proposals to displace authorized FM translators, then the FM translator permittee should be allowed to convert to the LPFM service before a new LPFM proposal is allowed to displace an authorized FM translator.

3. AM stereo was supposed to revive AM, and it has failed. At present, there is much debate over whether "digital AM" can offer real or meaningful omnibus improvement in quality or interference-free coverage for most AMs, particularly at night. In some cases it appears it will, but in the case of small local AMs, it almost certainly will not. It will probably diminish the day and/or night coverage of small AMs.

The public interest has suffered due to the de facto demise of so many local AMs particularly in rural and small markets, due in part to the superior coverage and quality of competing FMs.

The Commission should at last allow permittees of AM stations to operate on the FM band, where 75 - 80% of listening now takes place according to Arbitron (considered a valid standard for market concentration studies), by allowing AM stations to simulcast on LPFM facilities. LPFM rules should be amended to allow simulcasts of commercial matter only when simulcasting a local AM station. Perhaps the local studio rules (i.e.
25 miles) and/or an AM's daytime contours (5 mV/m, or perhaps 0.5 mV/m, or in between) could be extended so as to define where an AM meets the "local" requirement for LPFM simulcast.

4. The commenter offers for thought and reply comment (but does not outright propose) that the Commission might consider in some way applying time sharing provisions similar to those enumerated in Section 73.561 in the instant, to the extent that to do so would best serve the public interest. To wit, if an LPFM will, in fact, only originate ("meaningful, local") programming for four hours per day, it should not be permitted to displace an existing authorized FM translator 24 hours per day. Perhaps an LPFM proponent proposing to displace an FM translator should be required to commit to the number of hours it intends to provide locally originated programming, and if it fails to do so, should be required to "give back" time to the previously authorized FM translator.

I thank the Commission for this opportunity to offer comments in this matter.

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