Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC, 20554

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

My name is Paul McCarthy, from Providence, RI, and I strongly support any actions the Federal Communications Commission can take to expand and support the Low Power FM radio service.

Firstly, on the matter of transfer of licenses, I urge the FCC NOT to allow the sale of LPFM licenses. Not only is this contrary to the spirit of the LPFM service, but there are also practical reasons for this position. In Providence only one frequency was available (after Congress gutted the LPFM program), and we had 14 applicants for the frequency. The MX mess has still not been sorted through, and it has been one of the most heartbreaking and difficult processes I can imagie. If the sale of licenses is allowed, the field will become even more crowded with speculators - especially in cities like Providence - where LPFM licenses could be valued at over a million dollars. This will make the MX messes in the future even worse. I understand that if licenses are simply returned to the FCC instead of being sold, that means more delays (and more work for the overburdened FCC staff) in using the frequency; however, I think this outcome is preferable to the mess that would ensue if licenses could be sold. If the FCC decides that money should be allowed to change hands, at least it could be limited to "reasonable and prudent" expenses, to limit speculation.

However, there are legitimate circumstances where local groups have a turnover in their board of directors which constitutes a transfer of control (which is currently unacceptable for LPFM licenses). In fact, most grassroots groups have turnover on a regular basis - which is sometimes an indicator of a healthy organization, rather than a thinly veiled sham. There needs to be some mechanism to distinguish between the two however: perhaps when there is a more than 50% turnover, the new board can be asked to submit legal affadavits (swearing under penalty of perjury) that the mission of the organization has not changed, and that no money or favors have changed hands during the changeover. This would be an easy way to administrate such changes, and wouldn't require much additional processing for the FCC.

On the question of multiple ownership of LPFM licenses, I support allowing a SMALL number of licenses to be owned by a single group - say, three licenses at most, EVER. Some small economies of scale would indeed be useful for serving local communities - but rarely are there circumstances where a "local community" could actually be served by more than three licenses -- that's no longer a "local" area.

On the application, it would be useful if there was a way to distinguish between groups that simply plan on running an automation computer running a station from groups that actually want to program with many people involved. For instance, perhaps a fourth point could be given to groups that commit to having a certain number of hours of "live" programming per week (with a high threshold, say 80 hours a week). This would allow groups in rural and less populated areas to use automation more heavily (which is a very good use of the technology), but it would allow the FCC to distinguish between applicants in heavily populated areas that will be "ghost" stations operated without much human interaction, and groups that want to have a heavy dosage of real people on the radio.

Secondly, the application process could be greatly improved by allowing MX groups a 90 day window rather than a 30 day window to make time sharing agreements. In Providence we negotiated with groups FOR OVER TWO YEARS about time sharing, and it wasn't easy. 30 days isn't enough time.

For minor changes, I hope the FCC will consider changing the LP100 minor change relocation distance from 2km to 5.6km. Especially as translators and full power stations push secondary LPFM services around, LPFM licencees should be allowed to easily move their antenna when frequency spacing allows it.

One of the biggest problems facing the LPFM service is the translator issue. LPFM MUST BE given primary status over translators if anybody is expected to believe the FCC's promises about valuing localism in broadcasting. Given the way technology is changing, the only reason FM radio licenses are going to be valuable in the near future is if they embrace localism; by nature translators are "less local" than LPFMs. However, if and LPFM applicant is not generating enough local programming, there is no reason to give them primary status over a translator.

Since Congress gutted LPFM in 2000, many potential LPFM licenses have been devoured by translator applicants. Certainly there is no question, at least in my mind, that those that applied for LPFM licenses before the recent translator window should be given primary status. Furthermore, however, I would recommend that LP100s in future windows be given primary status over existing, pending, and future translator windows - so long as the LPFMs generate a certain number of hours of local programming (giving priority to those that give the most time in LIVE and local programming).

Another of the biggest problems with the LPFM service is its secondary status to encroaching full-power stations. There is no way a community organization can be expected to invest a significant amount of time, energy, and money in a project that could be shut down whenever the neighbors decide to jostle around. LPFM must be given protected status from encroaching full power stations.

Thanks very much for your time in considering these comments. The LPFM service has the potential to be a tremendous asset to our country, and these much-needed changes will allow the FCC to conduct its business in an expedient manner while greatly improving the way LPFM serves local communities.

Sincerely,

Paul McCarthy