

with one or more other applications filed in the 2003 translator filing window and thus have been subject to the six-month processing freeze imposed in the *FNPRM*.

These Reply Comments are primarily for the purpose of emphasizing the importance of this proceeding to the FM translator service in the light of recent dramatic and tragic events. In the wake of Hurricane Katrina, no one could possibly gainsay the importance of effective communications, and in particular radio broadcast communications, during a public emergency. As reported in the *Washington Post* earlier this week, “[t]heir homes under water and without electricity, many Hurricane Katrina survivors could not turn to television or the Internet for news and information. So they turned to battery-powered radios, just as people caught in natural disasters have done for decades.” *Washington Post*, September 19, 2005 (Internet edition). Or, as *Newsweek* reports, “[d]uring Hurricane Katrina, it was old-fashioned radio, not newfangled insta-media, that served as a lifeline for people battered by the storm. In the dark chaos of the Louisiana Superdome, or the lonely quiet of their homes, people along the Gulf coast huddled around battery-operated devices, seeking comfort and news from the on-air voices.” *Newsweek*, September 21, 2005 (Internet edition).

While hurricanes are most prominent in the public’s consciousness, they are far from the only natural phenomenon that can threaten human life and property over a wide area. In the mountain West, particularly, residents must frequently confront the perils associated with flash floods, forest and brush fires, rock-slides, blizzards and avalanches. Thousands of people living in small communities and isolated areas, no less than the residents of the Gulf Coast, are dependent on FM translator networks for timely warnings, evacuation notices and safety information. In the western United States, full power FM stations and

their associated translator networks serving smaller communities and sparsely populated areas separated by large distances are the backbone of the emergency communications system.

The translator networks that rebroadcast KJYE and the other MBC Grand FM stations illustrate why (1) conferring primary status on LPFM stations would threaten the ability of translator networks to protect life and property and (2) the FCC must lift the freeze on translator applications. The MBC Grand stations, and the translators that rebroadcast their signals, provide the public with essential information concerning imminent and ongoing emergencies in two ways, first through hourly local newscasts and regular weather forecasts and updates from the National Weather Service and, second, through participation in the Emergency Alert System. KJYE is the EAS local primary station for Mesa, Garfield, and Rio Blanco counties. In addition, MBC Grand works with local emergency coordinators; for example, Rio Blanco County is developing local emergency plans that are predicated on disseminating information to county residents via two county-owned and operated translators that will rebroadcast KJYE.

The four translator stations proposed in MBC Grand's pending applications will be an important part of MBC Grand's emergency communications services. Two applications propose to rebroadcast KMOZ-FM and KMGJ near Battlement Mesa, in Garfield County, while the other two propose to rebroadcast those two stations near Cedaredge in Delta County. The Battlement Mesa translators will serve a population of several thousand people, including a significant number of lower income residents who live in that area and commute long distances to jobs in Colorado's ski resort communities. The Cedaredge translators will serve a population of between seven and ten thousand, including a large

number of retirees. The Battlement Mesa and Cedaredge areas are both nestled behind arms of the Grand Mesa (the world's largest flat-top mountain, at more than 10,000 feet above sea level) and, for that reason do not receive a direct off-air signal from the FM stations located at the Black Ridge Electronic site, the transmitter site for many of the FM stations in the Grand Junction market. Hence, many of the residents of those areas would have no radio service at all without translators. In fact, delivery of the MBC Grand stations' signals to the Cedaredge site will require the relay of the signal via independently-owned translators at Cimmaron. KJYE is already rebroadcast by translators at both sites; the additional translators rebroadcasting stations with different formats should mean that more people in those areas will listen to radio, and more people will know where to turn for vital information during emergencies.

The LPFM stations that might supplant some FM translators if LPFM is given primary status cannot replace the wide-area emergency communications service available through translator networks. As the existing KJYE translator network illustrates, the displacement of a single translator station in an interlinked network could disrupt reception by a dozen translators at more remote locations in the chain and deprive thousands of listeners of service on which they have come to rely while jeopardizing the safety of people and property during emergencies.

The processing freeze announced in the *FNRPM* should have expired on September 17, 2005, six months after the release date. The FCC has not announced whether the freeze has been lifted or extended. It should be lifted immediately. Many of the applications subject to the freeze would, if granted, bring essential communications services to small communities and sparsely populated areas. Those services have already

been deferred for more than two years. Further delaying essential services threatens, rather than serves, the public interest.¹

The lesson of Hurricane Katrina obvious. The FCC should (1) immediately lift the processing freeze and (2) take action in this proceeding to promote and preserve the public's interest in FM translator networks providing essential wide-area communications services and protecting life and property during public emergencies.

Respectfully submitted,

MBC GRAND BROADCASTING, INC.

By /s/ J. Geoffrey Bentley
J. Geoffrey Bentley

BENTLEY LAW OFFICE
2700 Copper Creek Road
Oak Hill, Virginia 20171
(703)793-5207
(703)793-4978 (fax)

Its Attorney

September 21, 2005

¹ Because the remaining applications from the 2003 window are mutually exclusive, some in smaller groups and some in "daisy-chains" that extend over large areas, the FCC cannot selectively "freeze" some applications without necessarily, and unjustifiably, delaying action on other applications that, if granted, would unquestionably serve the public's interest in essential communications services.