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Peter Doyle, Audio Division Chief  
Jim Bradshaw, Deputy Audio Division Chief  
Kevin J. Martin, Chairman  
Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Deborah Taylor Tate  
Commissioner Robert M. McDowell  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, D.C. 20554

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Federal Communications Commission  
Office of the Secretary

July 27, 2007

**RE: Upcoming Non-Commercial Educational FM Filing Window**

Audio Division Chiefs, and Commissioners:

It has come to our attention that the Commission is currently discussing the final rules regarding the upcoming NCE filing window. The undersigned, representing the interests of local community and college broadcasters, would like to see an efficiently executed window. The FCC has already made an excellent start by implementing a points-based system to resolve mutual exclusivity. Our concern is that there might be a replay of the 2003 translator application window, where unrestricted numerical filing led to unresolved gridlock in the granting process that still haunts us today.

Without a numerical filing limit there is the possibility of a single applicant filing dozens to even hundreds of stations across the US. This goes against the original intent of a reserved educational channel—one set outside the competitive marketplace, within the grasp of local or regional educational institutions and nonprofits. Such a tactic multiplied several fold could lead to a chain of mutually exclusive applicants stretching across several states, halting the process in a legal and engineering quagmire.

We urge the Commission to enact a numerical filing limit of ten per applicant without rulemaking, as done previously for other windows. This would eliminate much of the processing problems and gridlock associated with MX groups.

We additionally request ample time from the initial public notice of the rules prior to the application window. Currently there has been no official briefing of what to expect or prepare for. Because we are dealing with nonprofits whose boards may meet every-other-month, and school systems with bureaucracies of their own, we urge the Commission to give details of the filing window at least 90 days prior to the window. This will allow for digestion of the knowledge, and proper adherence to the rules among all parties.

Sincerely,

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List ABCDE

Jonathan Lawson  
Executive Director, Reclaim the Media

Todd Urick  
Director, Common Frequency

Ursula Ruedenberg  
Affiliates Coordinator, Pacifica Radio