

Comments on NPRM
RM-11338
FCC Docket # 07-144

I am writing to oppose 07-144; allowing FM translators to rebroadcast AM signals.

While I do support the concept of providing relief to a broadcast service that is, admittedly, subject to significant interference already...and receiving more interference with each passing year...I do not support the idea that the solution to interference on the AM band is to cause more interference on the FM band.

If anything the total number of broadcast signals, on both AM and FM, probably should be reduced to ease congestion on the bands. Fortunately, modern technology affords a solution in HD Radio multicasting:

I proposed that all AM stations that would qualify for an FM translator under NPRM 07-144 should instead be offered a multicast channel (a.k.a. "HD2" or "HD3") on a Class Bx or Cx FM signal in the same market.

"Major" AM signals should not qualify for this concept; Class A signals and Class B signals on regional channels would be automatically disqualified. Class B on clear channels, Class C signals and Class D signals would generally qualify.

I further propose the following rules:

- The host FM station should receive some kind of incentive, perhaps tax-based or fee-based...or, if they do not already have an HD Radio-capable transmission system, then a grant to help defray the installation costs.
- The host FM station should be assigned by the FCC without input from the stations involved, to avoid political maneuvering.
- A transition period of five years (from the first day the FM multicast channel begins simulcasting the AM stations' programming) is allowed where the AM signal may continue broadcasting. The AM station may elect to end the simulcast at any time prior to the end of that five year period. At the end of the five year transition, the AM station's license and call sign will be automatically deleted by the FCC; any AM station that continues to broadcast on their now-deleted AM signal will be automatically fined the maximum amount for any unlicensed, pirate broadcaster.
- The host FM station must provide non-studio equipment and services to the AM multicast channel that are equal to or greater in quality and capacity to their main HD1 channel and any other multicast channels.

Non-studio equipment may include, but is not necessarily limited to, transmitter, antenna, tower-related, processing, and STL. The AM station is responsible for providing all studio equipment and services (including, but not necessarily limited to, microphones, telephones, CD players, program automation, satellite program delivery, EAS, etc). The difference between studio and non-studio equipment and services shall be based on an average between the host FM station's standards and the multicasting AM station's standards. If those standards do not apply, the standards of other FM stations in the relevant market will apply. If there are no other FM stations, then other AM stations in the relevant market. If there are no other FM or AM stations, then the nearest non-Class-D FM station.

- The host FM station will have no influence or impact on the programming decisions of the AM station's multicast channel's programming. Concordantly, all liability (EAS, profanity, public file, etc) shall be the responsibility of the original AM station ownership. The guiding principle is that the FM station's multicast channel is treated as if it were a separate broadcast facility as much as is physically possible and practical.
- The AM station ownership may request that the FM station effect changes/improvements to the FM signal beyond the scope of these rules...but the FM station ownership is under no obligation to do so.
- The AM station ownership may sell, lease or trade access to the FM multicast channel as if it were an independent, separate broadcast facility.

This concept also has the added bonus of providing compelling programming to help drive HD Radio adoption among listeners...which in turn will further drive HD Radio adoption. It also will help ease the growing congestion on the AM band, and prevent further congestion on the FM band.

It is understood that there may be far-reaching ramifications of this paradigm shift in thinking when it comes to ownership of a broadcast outlet vs. control over what programming is transmitted on that outlet...and that my suggested rules have not addressed all the potential pitfalls. However, I believe this framework is a good "starting point".

Respectfully submitted,
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