



be displaced over time.

In its notice, the Commission asked if: “should the presumption be limited to those LPFM stations that have regularly provided eight hours of locally originated programming daily?” The presumption protecting LPFM stations should probably be applied to all currently licensed LPFM stations. It may be too complex to track the hours of local programming provided over time by each LPFM station that may be impacted by new or enhanced full-power stations or translators. No licensed LPFM should be displaced just because a full-power station wishes to expand its coverage area.

The Commission also asked the question: “Should the presumption be extended to protect LPFM stations against subsequently filed petitions for rulemaking for new FM allotments and/or modification applications not proposing community of license changes?” The answer to this question is clearly, yes. If LPFM stations can be bumped by other broadcasting interests, the LPFM stations will be displaced as the population and population density of the United States increases. New full-power stations and their associated translators will be established as the American population grows creating potential new markets.

### **Contour Protection-Based Licensing Standards for LPFM Stations**

The Commission has stated that: “We tentatively conclude that the licensing of LPFM stations pursuant to the standards of Section 74.1204 of the Rules or some other “contour-based” methodology is in the public interest.

We tentatively conclude that an LPFM station licensed under this standard would be required to resolve all actual interference complaints or cease operations.” This proposed change would have a very negative impact on LPFM broadcasting.

This change would be negative because it would change LPFM from being the peoples’ radio to being scale models of full-power broadcasting operations. Most LPFM applicants and operators are not radio technology experts. Rather, they are community activists who use the medium of radio to provide content and service to their local communities. Establishing a contour-based methodology for new LPFM stations would turn the service into an activity for radio experts, and repel the community activists who could have provided the best broadcast content for their communities.

This negative impact would be increased by the requirement that the LPFM station correct any interference or go off the air. This is a rather strict punishment that would eventually force many of the LPFM stations off of the air. Indeed, there would probably be incidents where full-power stations would diligently look for LPFM interference in order to remove LPFM competitors from their environment.

Any increase in available channels would not be worth the harsh costs of the strict regulatory environment.

### **LPFM – FM Translator Protection Priorities**

LPFM stations should always have priority over translators. This is

because LPFM stations provide locally-originated program content while translators do not.

The only exception to this priority should be for translators that provide at least 60 percent of their time for locally-originated program content. In this case, the translators should have an equal priority with LPFM stations.

### **Why is LPFM So Important?**

In my comments, I have assigned a very high importance to the continued growth and success of LPFM radio broadcasting. LPFM is vitally important because it provides locally-originated content to the local community. This contrasts with the rest of broadcasting that provides national content piped in from distant sources.

If LPFM is displaced by full-power broadcasting and translators, the option of local broadcasting goes away with it. This will have a negative impact on communities that need local service in order to deal with emergencies such as natural disasters, the avian flu, energy shortages, and terrorist events.

In addition, there will be future stresses on democracy itself, such as those arising out of the War on Terrorism, which will need to be discussed in detail at the local level. This need for civic discussion cannot be met by a consolidated and centralized media that cannot be accessed by local citizens.

Local governments, organizations, and citizens would also lose the

opportunity to broadcast events, meetings, and local talent. In effect, the localities would be blacked out by a flood of centralized national content. This problem is made more intense by the fact that most full-power radio broadcasters are “music boxes” with little news or public affairs content at all.

### **Can Large and Small Stations Co-exist?**

The ongoing history of LPFM suggests that small stations will be displaced and destroyed by large radio stations. If this occurs, then perhaps the only solution is a separate broadcasting service for small stations located on different spectrum than that currently occupied by large broadcasters. With this consideration in mind, I have proposed using a portion of the millimeter waves for local low-power broadcasting. Refer to Appendix A.

### **Requested Actions**

All existing LPFM stations should be protected from displacement of any type. Contour protection-based licensing should not be used for LPFM stations. LPFM stations should have priority over translators.

**Respectfully submitted,**

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## **Appendix A – Millimeter Wave Broadcasting**

For example, if you establish a neighborhood broadcasting service at the vicinity of 60 GHz you can accommodate a large number of broadcasting stations in a single community. If each station has a 100 kHz channel for audio broadcasting and you allocate 1000 such channels for each community, the resulting frequency range of 60 GHz to 60.1 GHz would accommodate your robust set of 1000 local broadcasters in a single community. Here you have a delightfully large set of local broadcasters and yet you have hardly made a dent on the millimeter wave spectrum of 30 GHz to 300 GHz. In addition, you have even more frequencies about 300 GHz which you can use for the same purpose.