

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Amendment of Service and Eligibility Rules)
For FM Broadcast Translator Stations)

MB Docket 07-172
RM-11338

To: The Commission

**COMMENTS OF LANDMARK BAPTIST CHURCH, INC. OF HAINES CITY,
FLORIDA**

Landmark Baptist Church, Inc. of Haines City, Florida (“Landmark”) supports the proposals advanced in the Notice of Proposed Rulemaking¹ to permit AM stations, particularly daytime-only stations, to use FM translators to serve areas within the 2 m/Vm daytime contour of the AM station. In this connection, Landmark notes that AM stations serve an important role in the Federal Communications Commission’s mission to provide a fair, efficient and equitable distribution of radio service among the several states and communities of the United States. Many smaller communities rely heavily on AM for local transmission service and this service is encumbered by the numerous technical and competitive considerations described in the NPRM. Permitting AM stations to use FM translators will be an extremely effective means of enhancing the quantity and quality of the local radio service currently provided by AM stations, particularly if daytime-only AM stations are permitted to originate local programs at night on FM translators.

¹ 22 FCC Rcd. 15890 (2007), (hereafter, the “NPRM”)

Turning to the specific questions raised in the NPRM, Landmark does not foresee a need to phase in proposed rule changes. The FM translator service is already a mature radio service. In most areas, the availability of FM translators to rebroadcast AM signals will depend upon the willingness of FM translator licensees to sell translators to AM licensees. So the public interest benefits to be gained from a phased deployment of the new rules are not likely to outweigh the benefits of additional service that would flow from immediate implementation of the new rules.

On the question of limiting AM licensees' access to translators based on whether the licensee owns same-market FM stations, Landmark notes that FM licensees already are eligible to own translators. So the only persons hurt by this multiple-ownership type of limitation are the persons who could be listening to the programming of an AM station on a translator but are forced by multiple ownership considerations to listen to FM programming on the translator.

With respect to limitations on the number of AM fill-in translators, Landmark does not see a need to limit the number of AM fill-in translators. There is no corresponding limitation on FM fill-in translators. Nighttime technical limitations on AM stations transmissions create a greater need among AM stations than among FM stations for a fill-in translator service. So a numerical limitation on AM fill-in translators would be unnecessarily restrictive.

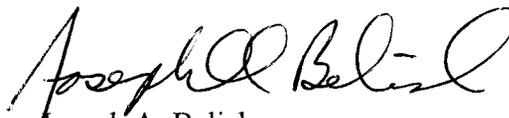
Concerning the question of financial support from radio station licenses to owners of FM translators re-broadcasting a radio station's signal, there is no reason to apply financial support rules to AM licensees that are different from the financial support rules that apply to FM licensees. Both AM and FM licensees should be free to broker translator stations providing fill-in translator service.

With respect to the matter of AM licenses providing programming to LPFM stations, Landmark opposes such commercial LPFM operations as inconsistent with the non-commercial purpose of LPFM stations.

Landmark supports the proposal to permit daytime-only licensees to originate programming on fill-in FM translators during nighttime hours. This would be a significant Section 307(b) benefit for communities lacking local nighttime transmission service.

On the issue of de minimus extensions of fill-in translator 60 dBu contours, Landmark notes that many AM stations have directional signal patterns and that matching those patterns with FM translator signals could be a technical challenge. A de minimus extension policy would provide a measure of flexibility that could be very helpful in designing fill-in translator service. Further, with respect to expanding the maximum fill-in radius to 35 miles in Zone II, Landmark notes that the AM station's 2 m/Vm signal remains a limiting factor and a 35 mile maximum is not at all unreasonable. Finally, in calculating AM contours, measurements that are properly taken and presented should take precedence over theoretical values computed using Figure M-3 values. See Rule 73.153.

Respectfully Submitted,



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