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FCC, Report on Broadcast Localism Commission

This letter is in response to some of the suggested changes put forth in MB Docket No. 04-233.

I have been in radio since 2003 and was hired in as an evening announcer. I worked my way up through the ranks of Morning Show Host (which I still do), KXLO Live Host (a local news and issues program), The Flea Market (a listener call-in program), Music Director, and now Program Director. I would like to state for the record that we serve our community every day, in many ways!

Here is a thumbnail sketch of our community involvement:

- KXLO & KLCM feature LOCAL NEWS reports EVERY HOUR, directly after our ABC news affiliate.
- We follow that up with the LOCAL WEATHER Report, and repeat it once at approximately :37 after EVERY HOUR.
- We have live call-in ISSUES and MUSIC REQUEST SHOWS.
- We staff a full-time news reporter. In fact, we compete directly with our local newspaper, frustrating them at every turn with our timely LOCAL NEWS coverage. In fact, all our liners feature the call "...(station call letters), Your Instant News Source!" which we take great pride in.
- Weekly, we feature a member of the City Commission, The City Manager, the School Board, the County Commission, the Fergus County Fair Board, and the Library Board with any updates pertinent to their organizations.
- I personally sit on the City Commission.
- We have a Local Public Service Announcement category that airs many times a day, where anyone not purchasing advertising for their event can still get the information out to the public over the airwaves.
- We play Classic, Recurrent, and Hot Country, and Classic Rock with selected Current Rock hits (no angry, hard, or speed rock), per the requests of our listener base.
- Our owner (Fred Lark), even serves on the Rotary Council.

I should point out that we are locally owned and operated, in a small town in Central Montana, and are not owned by any corporate conglomerate like Clear Channel. In fact, when I look at the proposed changes in **MB Docket No. 04-233**, I can only come to the conclusion that the changes in question revert back to a day I've never known in radio, back to the stone ages as far as I'm concerned! It would seem that this is being considered due to the sins of the corporate conglomerates in radio today.

While I think Clear Channel owned stations have been "cookie-cutter-ized" and have removed the human aspect and local content from terrestrial radio, and while I'll be the first to champion their demise for their own 'bad business', I'll fight to keep my right to do what I do best, and keep excessive government throwback regulations out of my industry! Why make the entire industry pay for the sins of a few bad apples (large apples though they may be)?

Let me give an example of these throwback stone age regulations will mean for the "little guys" like us:

Elimination of Unattended operation: We are very proud that in 2005 we went to broadcasting 24/7! If we must staff 24/7, we will not be able to afford the personnel, and will have to revert back to broadcasting from 5:30am to 10pm every day. This will upset the community, and **LESSEN THE OPPORTUNITY** to cover Amber alerts, EAS alerts, and the like.

Voice Tracking: Our listeners LOVE that we tell them now what the artist and song that just played are! Banning it would also upset our listeners, and requiring notification of it will confuse listeners and create needless verification paper busy-work which we must pay an employee to complete.

Quantative Programming Standards: Both our stations commit 10% **OR MORE** of our hourly programming to the local community. While there is no issue here for us with regards to metrics, I do believe this to be a violation of the freedom of speech amendment, and surely the FCC will see legal action against it from somewhere.

A Community Advisory Board: Again, these stations are owned privately, and every consideration is made to our community. A board of advisors is a redundancy and busywork, taking time and valuable resources **AWAY** from what is needed to do effective local programming. Please **DO NOT PUNISH THE LITTLE GUY FOR THE SINS OF THE BIG GUY!**

Instead, let me offer an alternative:

1. Require stations to disclose and air their origin of broadcast, terrestrially in their top of hour ID, not just the city (ies) they serve.

- This is much like the warning on Cigarette packages. Anyone broadcasting a satellite program should do the same every half hour, thus the receiving station must disclose its sources.
2. Tax the large broadcasting corporations like the United Nations put sanctions on countries that do things outside the UN framework.
 3. Place an FCC officer on staff of any broadcasting company that owns more than 8 individual station frequencies in 8 different communities.
 4. Remove the tax loopholes for broadcasting companies that suddenly split into smaller companies to avoid alternatives 1, 2, and 3 listed above.
 5. Do not grandfather in any existing broadcast entities when these laws are enacted!

The FCC, as a governing board, has been very helpful to me personally, and online, is a much-needed resource for compliance law, which we take very seriously at KXLO KLCM radio. We also belong to the Montana Broadcasters Association, and participate fully in the FCC Mock Inspection Certification Program. Our goal is, and has always been to provide quality music, national, and local programming to our community. In fact, we even air local high-school sporting events live on the air, and give them precedence over our regular schedule. We air their home and away games for varsity baseball, football, and basketball. So I ask, HOW MUCH MORE CAN WE DO? Please DO NOT FAIL TO CONSIDER what the MB Docket No. 04-233 suggestions will do to HARM THE SMALL MARKET STATIONS ALLREADY DOING EVERYTHING THEY CAN with regards to local programming.

Thank you for taking time to read this. I was compelled to write when I saw the considerations in MB Docket No. 04-233 through an email. I hope my voice will be hard.

Nik Scebba