



April 10, 2008

Chairman Kevin J. Martin  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

**Re: In the Matter of Broadcast Localism (MB Docket No. 04-233)**

Dear Chairman Martin,

I am writing to you today in response to the recent information that The Federal Communications Commission is considering a radical re-regulation of America's local broadcasters. I find this alarming and believe that additional mandates on local broadcasters are not only unnecessary, but would also be exceptionally burdensome and potentially offer the opposite results of those intended. As the Market Manger for Clear Channel San Francisco/San Jose, I can assure you that our ten stations – KIOI-FM, KISQ-FM, KKGN-AM, KKSF-FM, KMEL-FM, KNEW-AM, and KYLD-FM, KSJO-FM, KUFX-FM, and KCNL-FM - go above and beyond what is mandated to serve the local community.

For example, here in the San Francisco Bay Area we have culturally diverse radio stations, which truly reflect the population of the Bay Area. KMEL-FM has a 20-year heritage as "The People's Station," and connects with the local community on tough issues like violence, teen pregnancy, and unemployment. We produce a live, local show called "Out Loud" that specifically targets the concerns and issue that face the gay community. And, in 2007 we launched "Green 960," the first full-time radio station that is committed to preserving our natural resources, and saving the planet. As a radio group, Clear Channel San Francisco is furthering that commitment by evolving our entire San Francisco operation green.

In addition, for 20 years KKSF-FM has been producing a Smooth Jazz CD sampler which net proceeds from the sale of this CD Sampler go to the San Francisco AIDS Foundation. As a direct service, prevention and advocacy organization, the San Francisco AIDS Foundation has a compelling mission: to end the pandemic and the human suffering caused by HIV.

In 2007 alone, Clear Channel San Francisco/San Jose also donated over 10,000 PSAs to local non-profit and community service organizations such as East Oakland Youth





Development Center, Friends of Faith, C.L.A.E.R. Project, and Mexican American Community Service Agency, with an airtime value of over \$3,000,000. In addition, Clear Channel San Francisco/San Jose stations have partnered with local charities and organizations such as the San Francisco Aids Foundation, G.I. Forum, the Mexican Heritage Plaza, Bay Area Chapter of the American Red Cross, the Special Olympics, and the St. Rose Hospital Foundation to help raise more than \$300,000 for the local community.

These are just several of the ways in which Clear Channel San Francisco/San Jose demonstrates our commitment to the local community and its charitable organizations.

Chairman Martin, I appreciate you taking our views into consideration during the ongoing proceeding and encourage you to take the time to speak with those of us who actually run local radio stations on a daily basis. Along with my fellow local broadcasters I urge you not to impose the burdensome rules that could well hamper our ability to continue this kind of local community service.

Sincerely,

Dave Pugh  
 President & Market Manager  
 Clear Channel San Francisco/San Jose



APR 17 2008

Comments in Response to Localism Notice of Proposed Rulemaking  
MB Docket No. 04-233

FCC Mail Room

I submit the following comments in response to the Localism Notice of Proposed Rulemaking (the "NPRM"), released Jan. 24, 2008, in MB Docket No. 04-233.

Any new FCC rules, policies or procedures must not violate First Amendment rights. A number of proposals discussed in the NPRM, if enacted, would do so – and must not be adopted.

(1) The FCC must not force radio stations, especially religious broadcasters, to take advice from people who do not share their values. The NPRM's proposed advisory board proposals would impose such unconstitutional mandates. Religious broadcasters who resist advice from those who don't share their values could face increased harassment, complaints and even loss of license for choosing to follow their own consciences, rather than allowing incompatible viewpoints to shape their programming. The First Amendment prohibits government, including the FCC, from dictating what viewpoints a broadcaster, particularly a religious broadcaster, must present.

(2) The FCC must not turn every radio station into a public forum where anyone and everyone has rights to air time. Proposed public access requirements would do so – even if a religious broadcaster conscientiously objects to the message. The First Amendment forbids imposition of message delivery mandates on any religion.

(3) The FCC must not force revelation of specific editorial decision-making information. The choice of programming, especially religious programming, is not properly dictated by any government agency – and proposals to force reporting on such things as who produced what programs would intrude on constitutionally-protected editorial choices.

(4) The FCC must not establish a two-tiered renewal system in which certain licensees would be automatically barred from routine renewal application processing. The proposed mandatory special renewal review of certain classes of applicants by the Commissioners themselves would amount to coercion of religious broadcasters. Those who stay true to their consciences and present only the messages they correspond to their beliefs could face long, expensive and potentially ruinous renewal proceedings.

(5) Many Christian broadcasters operate on tight budgets, as do many smaller market secular stations. Keeping the electricity flowing is often a challenge. Yet, the Commission proposes to further squeeze niche and smaller market broadcasters, by substantially raising costs in two ways: (a) by requiring staff presence whenever a station is on the air and, (b) by further restricting main studio location choices. Raising costs with these proposals would force service cutbacks – and curtailed service is contrary to the public interest.

We urge the FCC not to adopt rules, procedures or policies discussed above.

*Verenda & Keith Lauer*

04-12-08  
Date

Signature

*Verenda & Keith Lauer*

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Name

717-589-3553  
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*Homemaker & manager*  
Title (if any)

Organization (if any)

APR 17 2008

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Nancy E. Rowe

Signature

4/7/08  
Date

191 Hillside Drive  
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Nancy E. Rowe

Name

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Title (if any)

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Organization (if any)

RECEIVED & INSPECTED  
APR 17 2008  
FCC MAIL ROOM

**Comments in Response to Localism Notice of Proposed Rulemaking  
MB Docket No. 04-233**

I submit the following comments in response to the Localism Notice of Proposed Rulemaking the NPRM, released Jan. 24, 2008, in MB Docket No. 04-233.

Many of the proposals in NPRM, contrary to the FCC's stated objectives, would harm both localism and diversity of viewpoints.

The true wellsprings of localism and diversity are smaller market radio stations and stations offering specialized programming (including religion, foreign language, ethnic and alternative programming). These types of stations also serve as important gateways for new entrants seeking business opportunities in broadcasting – increasing ownership among those traditionally underrepresented.

But just as major operating costs are quickly rising, and more Americans are turning to new media, the NPRM proposes measures that would substantially raise costs – something that will be keenly felt among small market and specialized programming broadcasters. The rational economic response will be service cutbacks or outright shutdowns. Neither outcome is in the public interest.

One of these ill-advised proposals would force radio stations to curtail reliance on labor-saving technology. An end to unstaffed operations will not improve responsiveness to a local community. To the contrary, it will likely lead stations to broadcast fewer hours or shut down altogether. Unattended operation with proper safeguards has helped small stations provide more service through efficiency. Take that away, and the Commission will create strong disincentive for stations to stay on during the late evening or early morning hours, hours during which very little revenue is generated. The increased operational costs will lead new entrepreneurs, including women and minorities, to look elsewhere to invest their savings and sweat equity.

The Commission must also reject proposal that would further limit where broadcasters can locate their main studios. The Commission acted in the public interest when it adopted rules many years ago to permit stations greater flexibility in selecting the location of their main studios, particularly in situations in which a broadcaster operates stations licensed to several nearby communities. If the Commission were to force each station to establish its main studio only in that station's community of license, the result would be that broadcasters -- particularly small market and speciality programming broadcasters -- would have to divert their limited financial resources from supporting and enhancing quality programming to covering additional and unnecessary real estate costs.

The FCC should also jettison proposals forcing stations to give away airtime to community groups. One proposal would even enforce public access requirements, similar to cable PEG channels. Cable has dozens, even hundreds of channels from which it can profit, but smaller market radio and stations serving small specialized audiences do not. Free is not really free to those who struggle every day just to keep the electricity flowing, the programming going, and the local news covered.

Smaller stations are keenly attuned to the communities they serve – it is how they remain in business. But the balance is delicate, and the Commission must not take action that will tip the balance so stations cut back on service or drop out. There is no 'public interest' in service that is both diminished and less diverse.

Respectfully submitted,

Jamieson M Banman  
Signature

April 2, 2008  
Date

Jamieson M Banman  
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Organization (if any)

Received & Inspected

APR 17 2008

FCC Mail Room

Cecil H. Davis  
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**MB Docket #04-233, Comments in Response to Localism Notice  
of Proposed Rulemaking**

April 11, 2008

The Secretary  
Federal Communications Commission  
ATTN: Chief, Media Bureau  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Sir:

I believe that freedom of speech and freedom of religion are being threatened by the proposal to make radio stations take advice from community advisory boards. This could mean that opposing viewpoints might have to be aired. Since Christian broadcasting is about disseminating the Gospel, it could mean that atheists could demand equal time if they were on the board. This would certainly fly in the face of what Christian broadcasting is all about. It is an absurd idea.

I respectfully request that the FCC stop going forward with this idea of having community advisory boards. Thank you for your attention to this matter.

Yours truly,



Cecil Davis  
(Mrs. Richard B. Davis, Jr.)

cd

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Signature

EARLE L. MAXWELL  
Name

\_\_\_\_\_  
Title (if any)

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Organization (if any)

APRIL 11, 2008  
Date

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Kenneth Hall

Signature

4-12-08

Date

Kenneth Hall

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PO Box 39 PLATO, MO  
Address 65552

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Title (if any)

Lynchburg Baptist Church  
Organization (if any)

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Carol J. Hall  
Signature

4-14-08  
Date

CAROL J. HALL  
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