

*Before the*  
**FEDERAL COMMUNICATIONS COMMISSION**  
**Washington, DC 20554**

In the Matter Of	)	
	)	
Creation of a Low Power Radio Service	)	MM Docket No. 99-25
	)	

**REPLY COMMENTS OF**  
**IBIQUITY DIGITAL CORPORATION**

iBiquity Digital Corporation (“iBiquity”), by its attorneys, hereby submits these reply comments in the above-referenced proceeding. iBiquity limits these reply comments to proposals in two of the comments concerning adjustments to the Commission’s co-channel and first adjacent channel protection requirements. As is explained in greater detail below, iBiquity opposes any waivers or modifications to first adjacent channel protection that would impact the rollout of HD Radio™ technology among FM stations.

iBiquity is the inventor of the HD Radio system for upgrading AM and FM analog stations to a digital format. There are more than 1,700 AM and FM stations that have upgraded to digital broadcasts using iBiquity’s HD Radio technology and more than 60 receiver models are available commercially for consumers interested in receiving HD Radio broadcasts. HD Radio technology allows broadcasters to offer listeners upgraded sound quality as well as additional audio and data services, without the need for additional spectrum. Currently, HD Radio broadcasters offer consumers more than 700 new audio channels using the multicasting feature of HD Radio technology. The Commission has repeatedly found the rollout of HD Radio technology to be in the public interest and has actively supported station conversions to digital

broadcasting.<sup>1</sup> iBiquity's interest in the HD Radio rollout is a matter of record before the Commission.

The Comments of REC Networks and Prometheus Radio Project each address the Commission's co-channel and/or first adjacent channel protection rules. Both commenting parties have proposed that the Commission allow waivers of the Commission's co-channel and first adjacent channel protections in certain situations to promote the introduction of Low Power FM stations.<sup>2</sup> Although iBiquity expresses no opinion on the merits of the commenting parties' desire to increase the opportunities for implementing LPFM stations, iBiquity strongly encourages the Commission to carefully consider the impact of any such waivers on the rollout of HD Radio technology.

iBiquity's HD Radio system allows a broadcaster to insert a digital signal on either side of its existing analog signal. Although the digital signal extends outward beyond the 200 kHz occupied by the existing analog signal, the low power level of the digital signal allows broadcasters to offer the digital broadcast without creating harmful interference to themselves, co-channel, first adjacent channel or second adjacent channel stations. iBiquity encourages the Commission to carefully consider the impact on HD Radio broadcasts of any rule changes that promote waivers of the co-channel or first adjacent channel protections. Moreover, to the extent

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<sup>1</sup> *Digital Audio Broadcasting Systems And Their Impact on the Terrestrial Radio Broadcast Service*, MM Docket No. 99-325, *Second Report and Order, First Order on Reconsideration and Second Further Notice of Proposed Rulemaking* FCC 07-33 (May 31, 2007).

<sup>2</sup> Comments of REC Networks at 2; Comments of Prometheus Radio Project, *et al.*, at 9.

the Commission permits any such waivers, iBiquity encourages the Commission to require that the requesting party demonstrate any waiver will not impact existing or potential HD Radio operations.

Respectfully submitted,

**IBIQUITY DIGITAL CORPORATION**

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