

MB Docket Number 04-233 Comments

My wife and I own and operate two radio stations licensed to Walla Walla, WA: KHSS 100.7 FM and KGDC 1320 AM. Our radio stations are the only two independently owned and operated radio stations in our market. Thus, we compete with radio stations owned by much larger groups and companies with much deeper pockets than ours. We have owned and operated KHSS and KGDC for nearly 10 years now and have always maintained a very small staff of two people.

We are very concerned about the new rules the FCC is considering, especially with regards to communicating with our local community, local programming, and the requirement for a 24/7 studio presence.

Communication Between Licensees and Their Communities

The FCC deregulated many of the programming rules back in the 1980s based on the theory that the local marketplace for each station would assure that the licensee would provide programming of interest to the local community. With the advent of satellite radio, the I-Pod, the internet, and more broadcast stations than ever, competition for listeners among the various media choices is as heated as it has ever been. Broadcast stations have the unique capability of focusing on issues of local interest that simply are not available to the listener of an I-Pod, satellite radio and internet radio. Smart broadcasters will thus focus on local issues in order to remain competitive. We don't need government regulations to force us to do so nor do we need government regulations to dictate exactly how we do so.

The suggestion of a *Community Advisory Board* is especially of concern to us. One of our stations, KHSS 100.7 FM, broadcasts Roman Catholic programming 24/7. We know of groups in our listening area who oppose what we are broadcasting (some rather vehemently) and would love nothing better than to have a say in what we air. And yet, it's not as if these groups don't already have a voice of their own on other stations in our market, because they do. These groups simply don't want us to have *our* voice.

Our other station, KGDC 1320 AM, broadcasts moderately conservative and nationally syndicated talk-radio programs as well as Fox News, local sports and the Seattle Mariners. There are Fox News haters in our listening audience who would love to get us to stop carrying Fox News; should they have a say in our source for news when they can easily change the dial to their preferred source for news? There is a fine line between wanting diversity versus not wanting viewpoints you disagree with (i.e. Fox News) available in the local media.

We hear from people in the community that they want more music aired on our stations. We listen to their input and weigh it against what we're doing. There is a plethora of music available on other stations. Should local residents have the power to force us to air

“some” music as well? There are other questions that come to mind that have seemingly difficult answers (if they are answerable at all):

- Will community advisory boards be able to alert a broadcaster to issues he should be addressing?
- How should members of the advisory board be selected or elected?
- Should the former ascertainment guidelines be a starting point to indentify those various segments in the community with whom the licensees should consult?
- How does a broadcaster ensure a broad cross-section of representation? Would he be required to have the homeless represented? The gay community? The various Christian communities? The local business community? Local government officials?
- How frequent would licensees be required to meet with their advisory boards?
- Exactly what does “advisory” mean? I can see it meaning different things to different members of an advisory board.

We oppose any sort of *community advisory board* requirement. However, if the FCC is intent on making changes, perhaps it would be appropriate to simply go back to the old community ascertainment requirements, which involved more of a “consulting with” rather than “being advised by” the local community.

Nature/Amount of Local and Community-Oriented Programming

We also oppose the proposal to tie the broadcasting of locally-oriented programming to the license renewal process. If there were only three or four radio stations per market and no other media available (i.e. satellite radio, I-Pod, internet, etc.), something like this might make more sense. However, the marketplace will require broadcasters to come up with new and innovative ways to provide local content. Thus, we strongly believe the FCC should stay out of mandating or regulating hours per week, percentages of programming aired, types of programs, categories of programs with regards to local programs.

24/7 Physical Presence for Disaster Warnings

We oppose the proposal for a 24/7 “physical presence” at our radio stations. The technology available today (and in the works for tomorrow) make such a requirement completely unnecessary and presents small-market independently-owned stations like ours with needless expenses. The EAS system works extremely well for disaster warnings – especially given that it’s a completely automated system. In addition to the EAS system, our radio stations are set up to page me within two minutes of receiving a telephone call, allowing for very quick and timely manual responses by me and/or my employees in the cases of emergency.

