

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)
)
Broadcast Localism) MM Docket No. 04-233
Notice of Proposed Rulemaking) FCC 07-218

COMMENTS OF SUPERIOR COMMUNICATIONS, INC.

Superior Communications, hereby comments on the above referenced Notice of Proposed Rule Making (the “NPRM”), released by the Commission on January 24, 2008.

- 1) **Don’t Repeat Canada’s Mistake.** The Commissions concepts look like they are ‘lifted’ from a 1980’s version CRTC (Canadian Radio and Television Commission) rulebook. These policies are being slowly dismantled (or waived) in Canada as half of all Canadian stations are losing money. One such victim of the failed CRTC’s policies has close ties to Michigan. This legendary station was a number one station¹ in Michigan for more than a decade but actually hailed from Windsor, Ontario. This station known as CKLW had a 30-share in US Arbitron ratings and fused together both American and Canadians well many diverse ethnic groups (such as blacks and whites). One such example of the influence of CKLW had was the recording of “America the Beautiful” by Canadian newscaster Byron Macgregor.²

The Death of CKLW Due To Content Regulation. Most experts agree the CRTC’s rules eventually caused the loss of 79 jobs at CKLW!³ The Commissions NPRM about localism look eerily similar the CRTC’s requirement of “CanCon” or local Canadian artist content. Similarly once the CTRC got into local content they then entered the “need” to regulate formatics. The NPRM has also proposed free air time and public advisory boards. This is slippery slope that may have started out good intentions on the part of government but ultimately destroyed a lot of radio stations. We see tons of similarities with NPRM and by now a 620-watt red beacon light should flashing in the minds of anyone reading this.⁴

¹ http://en.wikipedia.org/wiki/CKLW#The_glory_years

² http://en.wikipedia.org/wiki/Byron_MacGregor

³ http://en.wikipedia.org/wiki/CKLW#The_decline_and_death_of_the_Big_8

⁴ A documentary on the chilling effect of the CRTC’s regulation is available at <http://www.radiorevolutiondvd.com/>

- 2) **Localism? Yes...We Get It!** In a capitalistic society there is a general philosophy that competition improves everyone's products. This has been proven time and time again. With the increased competition from Satellite radio and the Internet broadcasts broadcasters recognize that localism is important. Broadcasting seminars have been filled with meetings which describe the survival path before us...in order for broadcast radio to survive we must all become more local. All broadcasters that do not have their "head in sand" know this and are implementing ways to increase localism. Government does not need get involved in process that is already moving in that direction or the effect may well be the opposite of well intentioned bureaucrats may expect. Does the Commission want broadcasters filling out forms, or going to advisory meeting or just allow us to get down to the business of doing what we know we need to do anyway?
- 3) **Information Superhighway. Yea We Got That Too!** We contend that a main studio within the service contour is more than adequate to be connected to the community, in fact probably anywhere with the 1 MV/m dBu or 35 miles should be acceptable all cases. Let not forget the Internet allows broadcasters to be more connected than ever before to the communities.
- 4) **Is it Live or Memorex...Anyone Up For The Double Blindfold Test?** I dare anyone to take a double blindfold test and tell me if it live or voicetracked. Even to the "trained ear" you can not tell. Then why in the Sam Hill would anyone care if it is live or voicetracked? Voicetracking can increase localism by allowing a DJ to leave the studio and meet with the general public and gather news and items of interest instead of being chained to a microphone. Voicetracking also has made the generic satellite music networks (ABC, Jones, etc) nearly obsolete, so why would we discourage a technology that actually improves localism for small market operators? Lets keep our eye on the ball here.
- 5) **Dog and Pony Show vs Scientific Research.** The concept of local advisory panels is a waste of time. If a local operators is required to have these meetings, it will take away time from legitimate operations of the station such as news gathering. If the station has a cluster of stations the time used for these meetings could result weeks of meetings per year. If the local advisory panels are open to the general public what it will draw is a few 'crusaders' or "armchair" program directors. The likelihood that those in attendance of the advisory meetings represent a scientific subsection of the general population is extremely remote. Once again the email or a phone call allows listeners to interact with stations and a much more time efficient basis. Furthermore most stations conduct scientific research based in Internet surveys.
- 6) **The Tower Lights Are On...But The Station Is Not.** Requiring stations to be staffed 24/7 seems unnecessary with the improvements about to be unleashed by FEMA with EAS updates. Furthermore the increased operation costs could be burdensome to small operators which will simply sign off the air during those times.

Respectfully Submitted 4/28/08,

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*The above signed hereby verifies that this document and previous related pleadings, pursuant to §1.52 of the Commission's rules, is true and correct to the best of my knowledge and belief.