

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

Received & Inspected
MAY 12 2008
FOC 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.

X Shirley M. Johnson

Signature

X 4/17/08

Date

Shirley M. Johnson

Name

400 N. Monroe Ave

Address

None

Phone

Title (if any)

Organization (if any)

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FCC Main Room

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Maureen Cister

Signature

4/17/08
Date

Maureen Cister

Name

6464 Cty Rd B Scotts Falls WY
Address

Phone

Title (if any)

Organization (if any)

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FCC-MAILROOM

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Rebecca L. Chambers

Signature

5/1/08
Date

Rebecca Chambers

Name

2740 Wauk Ave
Address Wake Forest, NC 27587
(843) 460-4686
Phone

Title (if any)

Organization (if any)

No. of Copies 0
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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.

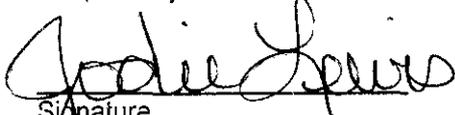
One of these ill-advised proposals would force radio stations to curtail reliance on labor-saving technology. An end to unstaffed operations will not improve responsiveness to a local community. To the contrary, it will likely lead stations to broadcast fewer hours or shut down altogether. Unattended 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,


Signature

5-5-08
Date

Jodie Lewis
Name

1012 W. Jackson St.
Address Auburn, IL 62615

Title (if any)

217-438-2163
Phone

Organization (if any)

No. of Copies 0
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We urge the FCC not to adopt rules, procedures or policies discussed above.

Glenda White

Signature

Glenda White

Name

Title (if any)

Organization (if any)

5-28-08
Date

7452 Twisted Hickory Rd
Address
Elizabethtown, NC 28337

Phone
910-648-4676

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Evangeline Sandoval

Signature

5-3-08
Date

Evangeline Sandoval

Name

22711 Steeple View, San Antonio, Tx
Address 78256

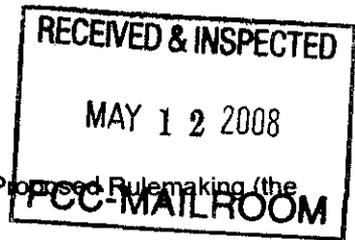
210-508-8096
Phone

Title (if any)

Organization (if any)

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Jeane Bruning
Signature

May 7 2008
Date

Donna Jeane Bruning
Name

POB 13562 Milwaukee WI 53213-0562
Address

MS
Title (if any)

414.475.1664
Phone

Organization (if any)

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NAMI

Southeast Minnesota

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W. Room TW-A325
Washington, D.C. 20554



Re: MB Docket No. 04-233

Dear Ms. Dortch

5/3/2008

NAMI of SE Minnesota's (National Alliance on Mental Illness) mission is to improve the lives of individuals affected by mental illness through education, support, research, and advocacy.

NAMI SE MN has relied very heavily on KTTC-TV in Rochester, MN to provide information to the general public as well as work as a team with us to support our mission. Examples of their involvement include:

- The station airs news stories concerning issues of importance to our organization and our organization's mission.
- We provide KTTC with supporting information and resources for their use in reference to mental illness issues and stories.
- KTTC provides PSAs for many of our education, and support programs on a regular basis
- KTTC has been a sponsor and provided Emcees to many of our fund raising events, as they have with other organizations in SE Minnesota.

Please consider carefully any new rules that could impact or jeopardize this strong relationship that makes such an impact on our community and our organization. We do not want to disturb a locally-developed process that works very well today.

Sincerely,

Anne Kamin
Executive Director
NAMI SE Minnesota

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National Alliance on Mental Illness

2200 2nd Street SW • Suite 203 • Rochester, MN 55902
507.287.1692 • nami-semn@nami.org • www.nami-semn.org

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FCC MAILROOM

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FCC: ^{see Ltr. to} Notice of Proposed Rulemaking. You are considering rule changes that could force Christian Radio stations to either modify their messages or go off the air. If enacted, these proposals could force Christian radio programs to either compromise their messages by including input from those who don't share the same values or to run the risk of costly, long and potentially ruinous government inquiries. This measure would be denying some Americans right to free speech. 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. (over)

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in this letter.

Respectfully,
Lee Boynton