

MULLANEY ENGINEERING, INC.

9049 SHADY GROVE COURT
GAITHERSBURG, MD 20877



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

In the Matter of:)
Creation of Event Radio Services) RM No. 11501
)
)
)
To the Commission:)

COMMENTS

Mullaney Engineering, Inc. (“MEI”), hereby submits its comments in response to the Public Notice released by the Commission in RM 11501, which solicits comments concerning the a petition requesting the Creation of an Event Radio Service (notice dated October 16, 2008, No. 2877). The petition was filed by Sounddec, LLC.

MEI fully believes that there is a obvious & immediate need to create a means by which substantial public & private events can obtain temporary authorization to operate a low power facility transmitting in the FM band. We do not believe that the existing facilities permitted by Part 15 are sufficient to meet this demand. However, such operation **must not be at the expense of existing authorized full service facilities.** Any such temporary facility must be “**secondary**” and must generally operate on a non-interference basis. While such facilities might be used in conjunction with a commercial event, the facility itself should not be permitted to run advertisements.

Since 2000, the broadcast industry has seen over 16,000 applications filed for other secondary facilities such as FM translators and LPFM facilities. Many of these applications have seen a plethora of filings in opposition to those applications. We fear that this will only tend to overwhelm the already scarce resources of the FCC.

Consideration should be given to **adding 10 dB** on to the recognized protected contour of co-channel & first adjacent **full service stations** in need of interference evaluation. The rules should then state that this extended protected contour is the limit of all protection afforded to these full service stations by the event radio rules. Second and third adjacent full service facilities are protected based upon a traditional interference study (using the ratio method & downward radiation suppression would be permitted to be included). Such an interference analysis should be deemed acceptable provided the population predicted to receive interference is less than 0.25% of the total population served by the protected full service facility. In addition, the cumulative predicted interference population caused by other secondary event radio facilities must not exceed 1.0% of the total service population. Persons attending the event would not be considered part of the interference population nor should populations residing in housing provided by the event sponsor (such as a University, Olympic Village, Military Base or persons residing on State or Federal Parks). Some allowance for additional limited interference should be permitted when the event can be categorized as a true “National” event such as the Olympics, Macy’s Thanksgiving Day Parade or a major College Bowl game.

Applications requesting such authorizations which propose an impact to a 2nd adjacent channel full service facility, should be required to include a channel by channel analysis demonstrating that the requested event radio channel would propose the least impact to existing full service facilities.

Protection between “secondary” facilities should be limited to co-channel & first adjacent operations with **5 dB** extended protected contour. Again, with a stipulation that no further protection should be expected. No second or third protection should be required.

If the new service is to be “secondary” then we question if the rules governing its operation should not be better located in Part 74 of the FCC rules (petitioner requests Part 73). Part 74 facilities typically have no public service obligation, EAS requirements and have minimal threshold operating requirements. It should also be made clear that the event radio facility is secondary to all full service facilities.

We believe that if the FCC adopts the pending proposal to increase by 10 dB the power of IBOC FM facilities, that interference to all such low power “secondary” facilities will make them virtually useless. **In MB Docket 07-294, the FCC is investigating ways to Promote Diversification of Ownership in the Broadcast Services.** In addition, as part of that docket, the FCC is reviewing a proposal to **re-allocate TV Channels 5 & 6 to the FM band** and for that newly added spectrum to be broadcast in a digital format. Reserving

two channels in this new band for an event radio service might be a perfect way to meet this demand.

Conclusion: MEI hopes that the FCC gives serious consideration to creation of an event radio service but such a service must not be at the expense of existing full service FM facilities.

Respectfully submitted,

MULLANEY ENGINEERING, INC.



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