

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
An Inquiry Into the Commission's Policies) MM Docket 93-177
and Rules Regarding AM Radio Service)
Directional Antenna Performance Verification)

To: Marlene Dortch, Secretary
Federal Communications Commission

COMMENTS OF GREATER MEDIA, INC.

Greater Media, Inc. ("Greater Media"), through its attorneys, hereby files its Comments in response to the Commission's Second Further Notice of Proposed Rulemaking ("SFNPRM") in the above-referenced proceeding. As a long time broadcaster that has participated at every phase of this proceeding, Greater Media is vitally concerned that the Commission adopt rules that reasonably balance wireless licensees' needs with adequate assurances of interference-free AM service. Accordingly, Greater Media makes the following recommendations in response to the Commission's proposals set forth at paragraphs 19-23 of the SFNPRM.

1. Greater Media agrees with the Commission's proposal (SNPRM, para. 19) to apply the new rules to *any* communications tower above a specified height, including those tower structures that are not otherwise subject to the Commission's licensing procedures. This approach is clearly preferable to the alternative proposal that applicants or permittees merely be prohibited from using a structure where the owner has not complied with notice and detuning requirements; inasmuch as such a structure

may impact a nearby AM station regardless of whether it accommodates any telecommunications tenants, the fact of tower construction itself rather than its use should be the initial predicate for triggering the Commission's regulatory scheme in this area.¹

2. Greater Media supports the conclusion of AFCCE (SFNPRM, para. 20) that a tower or structure height of 36 degrees should be considered as the threshold for triggering notification and study of potential impact on a nearby directional antenna. Greater Media further urges the Commission to adopt this same electrical height as the threshold for study on nondirectional facilities as well, in lieu of the proposed 60-degree threshold, particularly inasmuch as the proposed rules will apply only to towers that are located within one wavelength and thus in extremely close proximity to the antenna. It is well established in the industry that nondirectional structures in such close proximity to an antenna array can be very highly illuminated and thus have a high potential for significant reradiation. Moreover, Greater Media strongly believes that the proposed 2-dB pattern distortion is excessive. In the opinion of Greater Media, 2 dB is not a tolerable level of distortion of a nondirectional pattern. Further, there is no provision to quantify the effect of multiple reradiators on a nondirectional pattern which could result where several sources of pattern distortion are cumulative on certain azimuths. For these reasons, Greater Media urges the Commission to adopt a more stringent 1-dB pattern distortion threshold in addition to specifying a tower height of more than 36

¹ In any event, Greater Media believes that such structures would very likely fall within the restrictions of Part 15 in regard to incidental radiators.

degrees as the triggering threshold for a required study and, if indicated, remediation, for all towers.

3. Greater Media agrees with the Commission's tentative conclusions (SFNPRM, para. 20) that buildings should be excluded from the proposed rules but that towers not subject to FAA or tower registration requirements should not be categorically excluded from such rules. Similarly, other tall objects such as water towers, signage supports and lighting structures should not be accorded categorical exclusions. It is well documented that these kinds of structures have the potential to cause distortion of the directional and nondirectional patterns and should be treated in the same manner as any nearby conventional tower structure. As the Commission itself notes in proposing not to categorically excluded non-FAA regulated or FCC registered towers, whether or not a structure is subject to FAA evaluation or registration should not bear upon its status as to categorical exclusion; rather, the touchstone of the decision to regulate is the potential for adverse impact on AM operations, which is significant in the case of tall objects like water towers, signage supports and lighting structures.

4. Greater Media agrees with Hatfield and Dawson (SFNPRM, para. 21) that the Commission must have a mechanism in place for addressing towers that fall outside of the proposed coordination distances but nonetheless significantly impact AM stations. Having been involved in many instances of reradiation and detuning, Greater Media can state with certainty that there are no absolutes in such situations. The configuration of telecommunications antennas on outriggers, which is extremely common, the routing and bonding of transmission lines, the presence of various control and lighting circuits and multiple other electrical and physical parameters not readily taken in account in

modeling studies can have a dramatic impact on the reradiation potential of a structure and, consequently, its impact on the nearby AM station. Accordingly, as the Commission suggests, any final rule in this area should include a provision requiring tower proponents to protect an AM station upon submission of a credible demonstration that the tower affects the AM pattern.

5. With respect to notification procedures (SFNPRM, para. 22), Greater Media recommends a 120-day minimum notification period prior to the construction of a new structure or significant modification of an existing structure. Notice should be provided to any Commission permittee, whether or not the station has been constructed and regardless of whether PTA or a formal license has been granted. Greater Media believes that the interests of AM permittees and public alike require protection of any authorized AM operation and certainly there should be no real distinction between a station operating on PTA or under formal license.

6. More important, however, Greater Media is greatly concerned as to the ultimate responsibility for diagnostic and corrective actions under the newly proposed rules allowing MoM modeling in lieu of field measurements. With respect to directional AM operations that were proofed in a conventional fashion and were therefore required to operate within monitor point limits, which include all stations as of today, the reliance solely on MoM modeling to determine impact to the DA pattern is extremely problematic. As currently proposed in Section 1.30002(b), any before and after field measurements – partial proofs or otherwise -- are effectively the sole responsibility of

the station.² This raises the following potential scenario that the Commission must address: The proponent uses the low-cost MoM model of the potential reradiator and determines it not to be an issue. But once the reradiator is built, the station monitor point(s) exceed the limit(s). Now what happens? There are no timely near-term before measurements to use as a reference (unless the station has made them at its own expense). The MoM modeling shows all to be well but the station is in regulatory trouble with no way out other than trying to take measurements after the fact to attempt to quantify the situation and then convince the proponent to take some ameliorative action. Further, as Section 1.30002 (b) is worded, any single potential reradiator will be deemed to be compliant provided its contribution does not cause the DA pattern to exceed standard pattern (or augmented standard pattern) values. This means, in effect, that the reradiator can cause the radial to increase to 99.9% of the standard pattern maximum and still be deemed compliant, thus consuming all of the headroom at the monitor point(s) and, potentially, along the entire radial. And, to make matters worse, this analysis is apparently to be done (only) for each individual reradiator; there is no accounting for the contributions of multiple re-radiators.

7. It would be one thing if every station were instantly converted to an MoM modeling/internal monitoring platform although, even at that, the rather ill defined matter of tolerances (if any) of the “three points on every maxima and minima” raises interesting concerns. But conversion to internally monitored arrays will be a gradual process and many stations may simply not choose to go that route or are not going to

² Proposed 1.30002(f): “the proponent of the tower construction...*may* in lieu of the study described in paragraph (c) demonstrate through measurements...”

be eligible due to the physical or electrical configuration of the towers utilized in their arrays. Under all of these circumstances, Greater Media believes that, where a station for whatever reason *has not moved to an internally monitored array*, conventional techniques and measurements should be required on the part of and at the expense of the proponent to define the before and after reradiation environment. Such a requirement is essential to protect the interests of the public and the reasonable expectations of all AM stations.

8. Greater Media supports Commission's proposed retention of its current complaint procedures and agrees with the prospective application of the new rules as well (SFNPRM, para. 23). As previously detailed, its primary concern lies with the application of the "new" rules to "old" antenna systems still operating under the former rules. The Commission clearly must not permit an entity proposing a new tower or a significant modification to an existing structure to employ MoM methodology in a way that places the legitimate, legal and efficacious operation of another station in jeopardy due to the exclusive use of MoM modeling on a system that was licensed and that continues to operate utilizing *externally* monitored methodology.

WHEREFORE, for the foregoing reasons, Greater Media urges the Commission to adopt rules consistent with the views expressed herein.

Respectfully submitted,

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