

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

In the Matter of)
Digital Audio Broadcasting Systems) MM Docket No. 99-325
And Their Impact on the Terrestrial Radio)
Broadcast Service)

Reply Comments of
Cohen, Dippell and Everist, P.C.

The following reply comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”) in the MM Docket No. 99-325 proceeding entitled, “*Digital Audio Broadcasting Systems And Their Impact on the Terrestrial Radio Broadcast Service.*” CDE or its predecessors located in Washington, D.C. have been providing consulting engineering services to the communications industry for over 70 years.

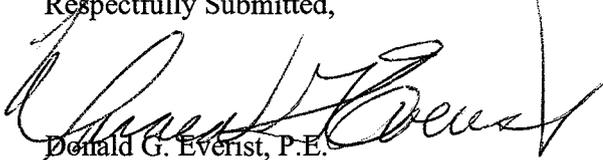
Various comments have been reviewed and it is apparent that a workable methodology needs to be developed that permits a determination of whether or not harmful interference to existing analog service will result. As has been stated in other rulemakings, receivers do not read the FCC Rules. Given the current apparent widespread confusion over the DTV February 17, 2009 transition, it is doubtful the listening public will have a higher degree of tolerance if they are presented with yet another scenario whereby they perceive they are subject to a loss of service for which they have no control. There is among our DTV clients a percentage of viewers with a high level of frustration and discontent for having to take extra time, money and effort to receive off-the-air signals. These frustrations are exacerbated by the economic downturn, being required to spend their resources to replace a stationary service for which they were satisfied.

This same culture could result for FM broadcast, particularly mobile drive time service, if widespread disruption of FM service occurs. It will inevitably raise the argument advanced a decade ago about the "AM-ization" of the FM band.

NPR expresses a desire to develop for the FM non-commercial band a table similar to Section 73.509 based on contour methodology. This maybe a possible first step. However, given a nature of allocation configuration and the extensive use of the FM non-commercial band, it is not certain if the full potential of IBOC will be realized in its present form. Further analysis will be required to ascertain if this approach will yield meaningful results for the commercial band.

For the FM non-commercial band, with the prospect of TV Channel 6 NTSC being no longer a consideration, i.e., Section 73.525 of the FCC Rules, will IBOC hamper the addition of new entrants? Since there are no convenient answers or methodologies that this firm has reviewed as yet that addresses complicated situations and this dilemma, this firm urges that the Commission be the instrument for which a meaningful and comprehensive allocation methodology is developed. This will greatly assist in implementing a new technology while preserving a valuable current analog service.

Respectfully Submitted,



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