

Good Shepherd Radio Incorporated
825 Washington Street
Columbus, IN 47201

July 17, 2009
Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street SW
Washington DC 20554

RE: MM Docket No. 99-325

Dear Ms. Dortch:

Good Shepherd Radio Incorporated, Licensee of WAUZ FM, and WKRY FM and WYGS FM submits these comments **against** the recent filing of the Parties concerning the digital power level authorized for FM IBOC digital radio, also known as “HD Radio” or just “HDR.” Good Shepherd Radio asserts that IBOC digital Radio serves exclusively the interests of the investor group located known as the HD Radio Alliance and occupies the interests of the National Association of Broadcasters. HD Radio has no public interest benefit. The present analog technology is widely accepted and better methods exist to deliver digitally encoded radio programs which would allow all inclusive adoption. In support of this request to deny an increase in power levels, Good Shepherd Radio, Inc. **presents the following –13- points against the additional power request** for consideration.

- 1) The present Digital Radio Scheme as presented to the FCC did not work as presented to the FCC even though, somehow, extensive field testing by “independent” engineering firms hired by IBiquity documented there would be a different result in coverage and now seek additional power with additional interference.
- 2) There presently is FM IBOC Digital interference to analog stations with 1% injection so 10X that amount (the amount of the request) would be chaotic and degrading.
- 3) The National Association of Broadcasters (NAB) whose opinion has become synonymous with the investors in the HD Radio Alliance is an exclusive and selfish interest and does not represent all licensees.
- 4) There is an “anti-competitive” downside. IBiquity should not be granted an exclusive patented arrangement giving preference over widely accepted standards in worldwide use.
- 5) All of the additional coverage afforded an IBOC - HDR station is at the expense of the adjacent channel licensee’s coverage. The reduction in service to the public outside the adjacent channel -1- mvm service area is a much greater loss than the small increase in service for the special interests of the HD Radio

Alliance. There is a tremendous reduction in service to the public who had no idea they were breaking the rules by listening to stations outside their -1- mvm protected contour. With alternate technologies such as sub carrier streaming multiple digital program channels, there is no reduction in an adjacent channel's existing coverage.

- 6) Millions of consumers will lose their "favorite" station (stations outside the protected 1mvm contours) due to what the NAB calls "tolerable" interference.
- 7) No improvement has been documented for consumers. HD stations now brag that they can make their analog signal sound just like the digital signal (for when the receiver switches back and forth) and consumers can't tell the difference. Consumers cannot tell the difference, and HD radio sales are a dismal failure.
- 8) Better, more cost effective technologies exist. If the NAB had been open to considering other digital delivery schemes this current problem would not have presented itself. Many of the NAB proponents still have no idea that ANY alternate technology could have been adopted.
- 9) The proposal inhibits localism. If this technology is unleashed by the "alliance" in their major market stations then consumers in rural areas will have to "tolerate" the "tolerable" interference. All smaller economy stations are radically disadvantaged.
- 10) Existing alternative technologies exist which offer **superior coverage In Band On Channel without encroaching** on adjacent channels.
- 11) HDR is price prohibitive Ten-dollar radios are a huge benefit to consumers and efforts like the Emergency Alert System (EAS).
- 12) Additional injection by HDR is a poor use of spectrum which may pre-empt simpler consumer friendly technologies from co-existing.
- 13) The NAB recommendation to address interference cases on a case-by-case basis is "burdensome" for the FCC and Broadcasters who cannot investigate all of the present cases of interference. Furthermore, getting resolution to an interference complaint is burdensome for the offended.

Good Shepherd Radio Inc. urges the commission to contain this particular digital broadcast technology at 1% of analog power. The additional injection sought is not in the public's interest but solely in the interests of special interest investors. Neither the 87% of broadcasting conducted outside the "Alliance" nor the Public should pay the price of a failed technology with cost prohibitive receivers and reduced service areas.

Respectfully submitted,



David Burnett
Executive Director
Good Shepherd Radio Inc.