

To: Office of the Secretary

Comments of David Kunian

I am from station WWOZ-FM in New Orleans, LA

I am writing to ask the FCC to consider LPFM stations signals in assigning 307b preferences to full power FM broadcasters applying to change their community of license.

My station is a community radio station in New Orleans that plays the music of New Orleans, greater Louisiana, and the Gulf Coast region. It is 95 % volunteer. I am a programmer for WWOZ.

458 low power radio stations have faced encroachment since January 17, 2007, when the FCC changed the process for full power stations to change their community of license from a major modification to a minor modification. In some of the most extreme cases, LPFM stations have been saved from discontinuing their operations through the use of Special Temporary Authorities, allowing these stations to exist in a limbo until the Commission decides on a more permanent resolution. However, in the more common scenario, the main signal area—already small due to the low power of LPFM stations—are significantly degraded due to these move-ins. It is simply not fair for a station that already has been on the air to have their signal degraded by these move-ins, especially in that the LPFM station are keeping the FCC mandate to serve their community in deep and necessary ways while the encroachers only pay lip service to this at best.

Comments in this Rural Radio proceeding detail how full power stations are able to change their community of license based on a preference given to stations providing either a first or second local transmission service to their new community of license. In other words, they are given a preference to move based on the idea that a community that doesn't have their own radio station would be better served if a commercial station were based there. Given that these commercial stations do not program content with the community in mind, they are not necessary to the community. Many of these stations program their content from centralized facilities many miles away. In this way, they are just like any number of satellite or internet radio station. Local LPFM stations are all about the community. Meanwhile, the fact that the vast majority of these stations do not even maintain studios within their communities of license indicates that these moves are motivated by the desire to serve an adjacent urban community, not the local community of license. This is outrageous.

As a representative of an community station, I believe it is unfair that the existence of an LPFM signal is not even considered in determining whether the move will be granted. Unfortunately, the Commission's new streamlined procedure has eliminated the opportunity for public scrutiny in the application for a change in community of license. These moves are justified by being a unique service to a community, but in reality, they cause significant harm to small communities' only

accessible broadcasting outlet, their low power radio stations. LPFM stations give the communities a voice to be heard both within the community and to the outside world. The full power stations give voice only to the corporate desires of the company that runs them To squelch the LPFM voice is un-American

  I am writing the Commission to ask that changes to communities of license are only approved after an evaluation of the effect of the move on LPFM stations. If the move is found to disturb an LPFM's broadcast, the change should only be allowed pending an evaluation of the public interest.  Thank you for your concern for this issue, which in many cases is a matter of life and death for LPFM stations around the country.

Respectfully submitted,   

Signed

_David Kunian – WWOZ-FM New Orleans