

ORIGINAL



WASHINGTON, DC

November 10, 2009

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Via Courier

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: MB Docket No. 99-325

Dear Ms. Dortch:

The twenty-one signatories hereto ("*Joint Parties*") strongly endorse the November 5, 2009 proposal submitted to the Commission by iBiquity Digital Corporation ("*iBiquity*") and National Public Radio, Inc. ("*NPR*") in the referenced proceeding, this phase of which was initiated as a result of an FM HD Radio power increase request filed by Joint Parties in June 2008. The proposal fashioned by iBiquity and NPR will permit numerous FM broadcasters to increase digital power levels by up to 6 dB above existing levels, with some stations permitted to increase power by up to 10 dB. Joint Parties appreciate the efforts of both iBiquity and NPR to formulate interim parameters that will afford FM stations meaningful relief from current digital power constraints, which unduly limit HD Radio geographic coverage and impede building penetration.

Joint Parties have consistently advocated increasing HD Radio power levels to permit FM digital coverage to replicate analog service. The iBiquity/NPR proposal is a good interim approach toward achievement of that objective, and Joint Parties therefore urge the Commission to expeditiously implement the iBiquity/NPR formulations. However, Joint Parties respectfully also wish to emphasize two key issues at this time.

First, Joint Parties appreciate that the iBiquity/NPR proposal recognizes and addresses the need for the Commission to establish a complaint process insuring that only legitimate, well documented complaints of ongoing, harmful interference within the complaining station's protected contour are processed by the Commission. Joint Parties urge the Commission to establish specific requirements, including the criteria set forth by iBiquity and NPR, that must be

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satisfied in order for interference complaints to be cognizable and thereby eligible for processing, and that filter out complaints to which neither the Commission nor the complained-of station should be obligated to devote their resources. In the event that bona fide, cognizable complaints are filed, Joint Parties urge the Commission to act quickly to examine and resolve the issues, as no one benefits from a protracted complaint resolution process.

Second, as Joint Parties have continually emphasized in this proceeding, if digital radio is to achieve acceptance by auto and equipment manufacturers as well as consumers, stations must be able to provide HD Radio service that fully replicates analog service, both in terms of geographic coverage and building penetration. Based on the HD Radio testing conducted by members of the Joint Parties, while the digital power level set forth in the iBiquity/NPR joint proposal should substantially alleviate some of the coverage and building penetration issues attendant to current HD Radio transmission limitations, this power level will not allow digital broadcasters to fully replicate existing analog service and therefore must be viewed as an interim step. Joint Parties strongly believe that a discretionary increase of up to 10 dB for all FM broadcasters must remain the ultimate objective if FM HD Radio is to realize its full potential. Moreover, while some broadcasters will purchase transmission equipment to take advantage of the 6 dB improvement, others may delay purchasing the equipment necessary to upgrade stations until the final permissible digital power levels are established. The interim step proposed by iBiquity and NPR will hopefully result in an appreciable number of digital power increases, which in turn should enhance the record in support of an eventual across the board 10 dB discretionary escalation.

The proposal submitted to the Commission by iBiquity and NPR stands to result in a significant and welcome improvement of HD Radio. Joint Parties therefore respectfully request that the Commission expeditiously move forward on the iBiquity/NPR proposal while at the same time insuring that the complaint process is fair and workable and that the record remains open, with the objective of obtaining a universal 10 dB increase in the near future.



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Respectfully submitted,

Backyard Broadcasting, LLC
Beasley Broadcast Group, Inc.
Black Crow Media Group, L.L.C.
Bonneville International Corp.
Broadcast Electronics, Inc.
Broadcaster Traffic Consortium LLC
CBS Radio Inc.
Clear Channel Communications, Inc.
Commonwealth Broadcasting Corporation
Continental Electronics Corp.
Cox Radio, Inc.

Emmis Communications Corporation
Entercom Communications Corp.
Greater Media, Inc.
Harris Corporation
Journal Broadcast Corporation
Lincoln Financial Media Company
Nassau Broadcasting Partners, L.P.
Nautel Maine Inc.
NRG Media, LLC
Sacred Heart University, Inc.

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