

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Petition for Rulemaking of) RM-11579
National Public Radio to Repeal)
Section 73.525 of the Commission's Rules)

To: The Commission

COMMENTS IN SUPPORT OF PETITION FOR RULEMAKING

Cedar Cove Broadcasting, Inc.; Educational Media Foundation of Brazosport, Inc.; KSBJ Educational Foundation; and WAY-FM Media Group, Inc. (together, "Joint Commenters"), the licensees and permittees of numerous noncommercial educational stations, file these comments in support of the Petition for Rulemaking filed by National Public Radio ("NPR") to repeal Section 73.525 of the Commission's rules.¹

Section 73.525 is now outdated and should be repealed in favor of allowing NCE stations to provide improved and increased coverage. Section 73.525 requires noncommercial educational radio stations to provide an unwarranted level of protection to full power channel 6 television stations. The rule was adopted years ago, in 1985, at a time when television stations operated as analog stations and at a time when television receivers were far less spectrum

¹ Cedar Cove Broadcasting, Inc., is the licensee/permittee of KADE(FM), Salida, CO; KDAB(FM), Central City, CO; KEZD(FM), Estes Park, CO; KEZF(M), Burns, WY; KGCY(FM), Esterbrook, WY; KGQD(FM), Fraser, CO; KMPB(FM), Frisco, CO; and NEW(FM), Reliance, WY. Educational Media Foundation of Brazosport, Inc., is the licensee of KYBJ(FM). KSBJ Educational Foundation is the licensee/permittee of KSBJ(FM), Humble, TX; KUBJ(FM), Brenham, TX; KWUP(FM), Navasota, TX; KXBJ(FM), Victoria, TX; KZBJ(FM), Bay City, TX; and NEW(FM), Port Lavaca, TX. WAY-FM Media Group, Inc., is the licensee/permittee of KBWA(FM), Brush, CO; KJWA(FM), Trinidad, CO; KRWA(FM), Rye, CO; KWYA(FM), Astoria, OR; KWYQ(FM), Longview, WA; KXWA(FM), Loveland, CO; KYWA(FM), Wichita, KS; WAYD(FM), Auburn, KY; WAYF(FM), West Palm Beach, FL; WAYH(FM), Harvest, AL; WAYJ(FM), Fort Myers, FL; WAYM(FM), Spring Hill, TN; WAYP(FM), Marianna, FL; WAYQ(FM), Clarksville, TN; WAYT(FM), Thomasville, GA; WAYU(FM), Steele, AL; and WAYW(FM), New Johnsonville, TN.

sensitive. Since the time Section 73.525 was adopted, the population receiving TV service directly over the air has dropped to less than 10%, and television receivers are far less vulnerable to interference due to the new digital receivers now in use. These points have been well documented in NPR's petition.

WHEREFORE, Joint Commenters support NPR's Petition.

Respectfully submitted,

**CEDAR COVE BROADCASTING, INC.
EDUCATIONAL MEDIA FOUNDATION OF
BRAZOSPORT, INC.
KSBJ EDUCATIONAL FOUNDATION
WAY-FM MEDIA GROUP, INC.**

By: 

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CERTIFICATE OF SERVICE

I, Stephanie Patton, in the law offices of Gammon & Grange, P.C., hereby certify that I have sent on this 2nd day of December, 2009, by first-class, postage prepaid, U.S. Mail, copies of the foregoing COMMENTS to the following:

Gregory A. Lewis
Associate General Counsel
National Public Radio
635 Massachusetts Avenue, N.W.
Washington, D.C. 20001

Stephanie Patton