

May 12, 2010

Secretary
Federal Communications Commission
Washington DC 20554

Re: RM-11599
Pre-Sunrise Service Authority for Class D Stations
Pre Sunrise Operation at 5:00 a.m. Local

Recently the FCC circulated a petition to allow Class D AM Broadcast Stations on Regional Channels to commence Pre-sunrise Service at 5:00 a.m. local time. Nelson Enterprises, Inc. supports that request and respectfully requests that the FCC broaden its proposed Rulemaking to include Class D stations operating on Domestic Clear Channels (not including Foreign Clear Channels). Nelson Enterprises, Inc. proposes that allowing Class D stations to commence operations at 5:00 a.m. local time would only be required to protect Domestic Clear Channels to their .5 mv/m groundwave with the 50% .025 mv/m skywave from the Class D. All foreign stations would not be affected as they are protected per treaty requirements. This change would allow hundreds of local community stations to bring service to their communities while protecting the primary service area of Domestic Clear Channels. By reference Nelson Enterprises, Inc. includes all of the benefits stated in the "Arsenault" petition in this comment.

Further, the area lost by the Domestic Clear Channels is only secondary service area, intermittent in nature – not primary service.

Since the FCC defined this intermittent, secondary service protection area of Clear Channels it is time, over 50 years later, to re-examine local community service over a secondary non-reliable signal after 5:00 a.m. local time. The advent of FM, LPFM, TV, LPTV, cable, satellite radio and the internet brings our nation to a mass media coverage level not envisioned when a Clear Channels .5 mv/m 50% skywave was adopted to provide an aural reception service to much of the nation which – at that time – consisted of white area with aural reception service available.

Respectfully submitted,

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