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APR 19 2010

FCC Mail Room

April 16<sup>th</sup>, 2010

Marlene H. Dortch, Secretary  
Federal Communications Commission  
9300 East Hampton Drive  
Capital Heights, MD 20743  
**VIA FEDEX**

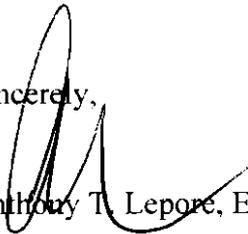
**RE: Comments to Petition for Rulemaking in RM No: 11599**

Dear Ms. Dortch:

Please find enclosed on behalf of La Raza Media Group, LLC an original and four (4) copies of Comments in response to the Petition for Rulemaking filed by Richard Arsenault on March 1<sup>st</sup>, 2010 and assigned RM No: 11599.

If you have any questions regarding the foregoing, please contact me.

Sincerely,

  
Anthony T. Lepore, Esq.

ATL:ms  
Enclosures

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
 )  
Petition to Amend Title 47, Part 73.99 concerning )  
Pre-Sunrise Service Authorizations for Class D )  
Stations in the AM Broadcast Service ) RM No: 11599

***COMMENTS OF  
of  
LA RAZA MEDIA GROUP, LLC***

La Raza Media Group, LLC (“LRMG”)<sup>1</sup> submits these comments in response to the *Petition for Rulemaking*<sup>2</sup> (“Petition”) filed by Richard F. Arsenault received March 1<sup>st</sup>, 2010 regarding Pre-Sunrise Service Authorizations.

The Petition requests the Commission amend 47 C.F.R. §73.99 to permit Pre-Sunrise (PRSA) operations to begin at 5:00 a.m. local time instead of the current 6:00 a.m. local time for certain stations operating on Regional Channels. LRMG supports this proposal and requests the Commission issue a *Notice of Proposed Rulemaking* relative to this matter.

LRMG is the licensee of a Class D AM Station operating on at 1570 kHz and has first hand experiences with the issues raised in the Petition. At the present time, LRMG has authorized power of 5 kilowatts daytime and *13* watts (0.13 kw) nighttime. LRMG has no presunrise authorization at all.

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<sup>1</sup> LRMG is the FCC licensee of WTWB (AM), Auburndale, FL, a Class D AM Station operating at 1570 kHz.

<sup>2</sup> *Petition for Rulemaking* in RM No: 11599 received March 1<sup>st</sup>, 2010 (“*Petition*”).

LRMG's community of license of Auburndale, Florida is a small town of approximately 14,000 residents who begin their workday extremely early. For example, many residents work in the agricultural industry (citrus) and begin their day well before sunrise and are deprived of local community coverage of news, sports and weather information because of the limitations imposed by the nighttime power restrictions on WTWB. They would benefit from a pre-sunrise authorization that allowed a power increase from 13 watts to something greater (but less than the daytime 5000 watts) beginning at 5:00 a.m. by improved reception of local programming of interest to the citizens, including weather and traffic information, and local emergency information when applicable.

This particular daypart is the most important and valuable portion of the broadcast day, as it is when the greatest number of ears are listening to LRMG's station. The revision of the FCC's rules to include a provision permitting LRMG to seek pre-sunrise authorization of something more than 13 watts would make the reception of LRMG's local morning drive programming more palatable and listenable would both further its public service obligations and be a step towards improving AM stations' standing as a source of information with FM, TV and other media outlets, which is a long-stated goal of the Commission.<sup>3</sup>

### ***Conclusion***

In conclusion, LRMG supports the Petition for Rulemaking and requests the Commission issue a Notice of Proposed Rulemaking, for purposes including modifying

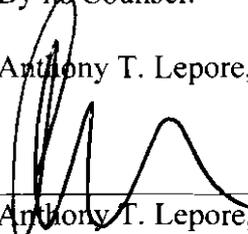
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<sup>3</sup> See, *Review of the Technical Assignment Criteria for the AM Service, Report and Order*, 6 FCC Rcd 6273, 6356 (1991), *recon. granted in part and denied in part, Memorandum Opinion and Order*, 8 FCC Rcd 3250 (1993) ("AM Improvement Order").

Rule 73.99 to reflect a commencement time of 5:00 a.m. for presunrise operations for certain stations operating on Regional Channels with current PRSA authorization as described in the Petition, as well as a methodology for those stations without PRSA authorization to seek same from the Commission.

Respectfully Submitted  
La Raza Media Group, LLC  
By its Counsel:

Anthony T. Lepore, Esq., P.A.



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**CERTIFICATE OF SERVICE**

I, Anthony T. Lepore, Esq., do hereby certify that I caused to be mailed, via first class U.S. Mail, postage prepaid, a copy of the foregoing Comments the following, this 16<sup>th</sup> day of April, 2010.

Richard F. Arsenault  
P.O. Box 337  
Fortescue, NJ 08321-0337

A handwritten signature in black ink, appearing to be 'R. Arsenault', written over the printed name and address.