

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

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| In the matter of: |) | |
| |) | |
| Notice of Public Information |) | FCC-2011-0162 |
| Collection(s) Being Reviewed by the |) | MB Docket No. 10-103 |
| Federal Communications Commission, |) | |
| Comments Requested |) | |
| |) | |
| FCC Rules 73.3526 and 73.3527, |) | |
| Local Public Inspection Files; Sections |) | |
| <u>76.1701 and 73.1943, Political Files.</u> |) | |

To the Commission:

COMMENTS OF JAMES EDWIN WHEDBEE, OWNER: KZJW-LD

JAMES EDWIN WHEDBEE, respectfully comments as follows on the Commission's Notice regarding broadcast public inspection file requirement rules.

1. QUESTIONS ASKED IN THE COMMISSION'S NOTICE

In its Notice, required to maintain the rules requiring broadcasters to have and maintain local public inspection files, the Commission asks the following specific questions...

- Whether the public file rule is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility;
- Whether the Commission's estimate of the burden that rule imposes on broadcasters is accurate;

- Are there any ways to enhance the quality, utility, and clarity of the information collected;
- Are there any ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology; and
- Are there any ways to further reduce the information collection burden on small business concerns with fewer than 25 employees.

2. RESPONSE OF JAMES EDWIN WHEDBEE,
OWNER OF KZJW-LD, TO THESE QUESTIONS

- The public file rule is NOT necessary for the proper performance of the functions of the Commission, nor does the maintenance of a local public file have practical utility in the age of the internet/cloud.
- The Commission's estimates of the burden (in time) its public file rule imposes on broadcasters is woefully understated. The estimates should be at least double. The Commission's question ignores the burden on non-broadcast members of the public; accordingly, this commenter believes the rule(s) are current improperly in force. The broadcasters providing the information have a time burden, of course; however, members of the public wishing to inspect the public file also have an unnecessary time burden in going to the file to view it.
- There are ways to enhance the quality, utility, and clarity of the information collected: collect that information online where the vast majority of the public would go looking for that anyway.

- The question about ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology responds to itself, so the simple answer: yes. Less detail needs to be provided by respondents, automating the collection process should be permitted, and that collected information should be available online rather than in physical form.
- “Are there any ways to further reduce the information collection burden on small business concerns with fewer than 25 employees?” Yes...eliminate the requirement for a public file altogether for small business concerns.

3. SUMMARY

This commenter is opposed to the public file requirement altogether, especially for small business concerns, as any benefit of such a file could not outweigh the time, labor, and cost burdens imposed on small broadcasters to have and maintain such a file. Even for larger broadcasters, the current rules are not necessary for the proper functions of the Commission in that competing media interests (internet media and others) are not required to have and maintain a public file; accordingly, the existing public file requirements are anti-competitive while arbitrarily imposing a time, cost, and labor burden on an already strained broadcast industry. Should a public file requirement remain at all, and this commenter wishes to discourage it altogether, that should be vastly simplified, be amenable to automation, and in lieu of a physical file an electronically accessible file (online) should be specified so as to reduce both the burdens on broadcasters, but for the public as well.

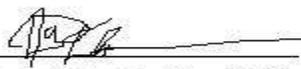
4. CONCLUSIONS

This commenter concludes the public file requirement is: arbitrarily and unnecessarily burdensome on all broadcasters, but unjustly so for small business concerns with fewer than 25 employees; outdated in form and scope needing to be greatly streamlined in terms of detail required and made amenable to automation and electronic access if the burden estimates are to be considered accurate at all.

5. RECOMMENDATIONS

WHEREFORE, commenter recommends eliminating the rules; however, if not, the undersigned respectfully recommends: FCC Rules 73.3526 and 73.3527 (*47 CFR Sections 73.3526-73.3527*), “Local Public Inspection Files;” Sections 76.1701 and 73.1943 (*47 CFR Sections 76.1701 and 73.1943*), “Political Files” be amended to eliminate the requirements therein altogether for broadcast stations with 25 or fewer employees; be amended to reduce to the minimum practical extent all reporting by all broadcast licensees; and, be amended to be amenable to automated collection and electronic dissemination (preferably online).

Respectfully Submitted:



James Edwin Whedbee, M.Ed.

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