



## COMMENT REGARDING MM DOCKET 99-25 AND MB DOCKET 07-172

Dear Federal Communications Commission:

This comment is concerning the pending rulemaking concerning the *Creation of A Low Power Radio Service*, submitted by the Sacramento Community Cable Foundation, d.b.a. Access Sacramento. Access Sacramento is a 501c3 nonprofit corporation (Federal ID #68-0062555) founded in 1985. Our hundreds of diverse community volunteers are very interested in applying for and receiving an LPFM license

Within the FCC's rulemaking it specifically discussed criteria relating to the dismissal of pending "FM translators", which currently hold most of the FM spectrum in urban areas. The FCC appears to be taking a city-by-city approach to either dismissing or processing all the translators in specific markets. The Sacramento metropolitan area is currently earmarked as a *process market*, which means all the pending translators here could go on to be processed and licensed. We think the FCC should further investigate these pending translator applications in Sacramento in relation to what consequences it may have for prospective translator applicants.

Access Sacramento is located in East Sacramento in the Coloma Community Center at 4623 T Street, Sacramento, CA. 95819. Access Sacramento would like to apply an LPFM license to start a volunteer community broadcast LPFM radio station since no such station currently exists within Sacramento. We looked specifically at the channels available for us to apply for at our headquarters, taking into account the relaxed spacing criteria (2<sup>nd</sup> and 3<sup>rd</sup> adjacents). Taking into consideration to protection of pending translator applications, we found two channels open. One of the channels was on the same channel as a commercial station from the Sierra Foothills that can be received clearly in Sacramento, and also bills itself as a Sacramento station—so that channel is out. That leaves all the nonprofits, churches, and our organization to compete in applying for ONE OPEN RADIO CHANNEL in our neighborhood. We do not think this is fair.

We looked at why there was such a deficiency of LPFM channels in Sacramento's core area by seeing what translator applications were still pending in the Sacramento vicinity. Apparently of the **37 applications** we found pending, **over half the applications** were submitted by entities that already had **two or more licensed radio channels in the Sacramento area**:

**EDUCATIONAL MEDIA FOUNDATION:** Has 14 applications pending in the Sacramento area, and can be already heard on 6 radio channels in the Sacramento area. (Pending: 92.9 ELVERTA, 95.5 PLACERVILLE, 95.7 ELK GROVE, 96.5 SUTTER, 96.5 ROSEMONT 97.7, VACAVILLE, 98.9 AUBURN, 98.9 ROSEMONT, 99.3 WEST SACRAMENTO, 100.9 FAIRFIELD, 104.7 ELK GROVE, 104.7 ROCKLIN, 105.9 ROSEVILLE, 106.9 FLORIN)

**YOUR CHRISTIAN COMPANION NETWORK:** Has three applications pending and can be heard on two channels in the Sacramento area. (Pending: 92.9 DAVIS, 99.7 JACKSON, 100.9 FAIRFIELD)

**CALIFORNIA STATE UNIVERSITY, SACRAMENTO:** Has three channels pending and can be heard on three channels in the area. (Pending: 105.9 ROSEVILLE, 104.7 ROSEVILLE, 99.7 SACRAMENTO)

Additionally, four applicants appeared (to us) to submit applications for possible speculative purposes:

NI ACQUISITION CORPORATION (95.5 MEADOW VISTA), R & L NON-COM (95.5 JACKSON), EDGEWATER BROADCASTING, INC. (98.9 CITRUS HEIGHTS), BEST MEDIA, INC. (99.7 SACRAMENTO)

Three applicants have unclear intentions:

**EASTERN SIERRA BROADCASTING: This entity has two different PO Boxes, (one in South Lake Tahoe, CA and one in Alameda, CA) with 8 applications pending:** (96.5 SACRAMENTO, GRASS VALLEY 97.3, SACRAMENTO 98.9, SACRAMENTO 104.1, PLACERVILLE 104.3, SACRAMENTO CA 104.7, FOLSOM 104.7, ELK GROVE 106.9)

Two applicants, **ASSOCIATION FOR COMMUNITY** and **MARY V. GUTHRIE** have applications pending (101.7 LODI CA and 104.7 SACRAMENTO) and both applicants have the same address: 2310 PONDEROSA DR. #28  
CAMARILLO CA 93010.

Two applications were from a nationwide network called **CALVARY CHAPEL OF TWIN FALLS** that already has a frequency in Sacramento (K238AY): Pending: VACAVILLE 97.7, 104.7 NEWCASTLE

In total, the majority of the translator applicants in the Sacramento vicinity appear to be applicants that already have local channels, are possible speculators, are accumulating channels for large radio networks, or are not local and have unclear or obscured intentions. Why does a broadcaster that can be heard on 6 local channels get its pick of 14 additional channels? Then, our local organization is stuck with competing for one frequency with the rest of central Sacramento. The Local Community Radio Act requires the FCC balance the use of radio channels between LPFM and translators. By processing all the translator applications in Sacramento, LPFM and translators are left with the number of channels skewed greatly towards a select number of translator hoarders. We request the FCC to alter their deciding criteria to balance LPFM and translators priorities, adding Sacramento to the “not process” list.

Sincerely,

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