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September 27, 2011

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: Spokane Public Radio, Inc. Comments in MB Docket No. 99-25; MM Docket No. 07-172; RM-11338, Third Further Notice of Proposed Rule Making, FCC 11-105 (rel. July 12, 2011) ("Third Further Notice").

Dear Ms. Dortch,

Spokane Public Radio, Inc. ("SPR") is the licensee of noncommercial KPBX-FM, Spokane, WA and files these comments in the above referenced rulemaking:

- 1) SPR has a number of pending applications for new translators at Coeur d'Alene, ID. These applications have been pending since 2003.
- 2) Spokane and Coeur d'Alene, are thirty miles from each other, and are entirely separate and distinct communities. According to the 2010 U.S. Census, Spokane had a population of 208,906 persons and Coeur d'Alene had a population of 44,137. Nevertheless, Arbitron considers both cities to be in the same market for purposes of measuring radio listening.
- 3) SPR believes it is a fundamental mistake for the Commission to treat extremely disparate communities, within the same Arbitron market, as having uniform frequency congestion characteristics, when considering the potential allocation of new LPFM channels, in the same market. There is absolutely no engineering evidence, for the Commission to conclude, that a specific level of Spokane frequency congestion, will be identical, in a much smaller community thirty miles away.
- 4) The Commission's proposed dismissal of UW's pending Coeur d'Alene translator applications, is completely misguided, and will deny a needed public service to Coeur d'Alene. At the same time the proposed dismissal will likely contribute nothing to the Commission's efforts to increase LPFM channels in the Spokane area.

SPR Comments in MB Docket No. 99-25

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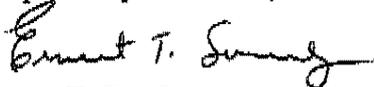
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5) The public policy of increasing LPFM channels, does not justify the blind and arbitrary dismissal of SPR's long pending Coeur d'Alene translator applications, without any empirical technical basis. For the Commission to potentially dismiss these translator applications, with no provable benefit to the LPFM spectrum, is absurd and embodies a prohibited arbitrary and capricious action.

6) It is understandable that the Commission desires, a simple and broad based tool, which can be used to promote the growth of LPFM. Nevertheless, the Commission may not legally abrogate the due process rights of long standing applicants, without a proper and meaningful technical analysis, which provides a rational underpinning for the proposed dismissals. The draconian action proposed by the Commission has not been adequately justified.

7) SPR calls the Commission's attention to the excellent technical analysis provided by Douglas Vernier, in connection with the September 26, 2011 comments, of the University of Washington.

Respectfully submitted,



Ernest T. Sanchez

Counsel to Spokane Public Radio, Inc.