

February 2, 2012

Marlene Dortch
Secretary
Federal Communications Commission
445 Twelfth Street SW
Washington, DC 20554

Re: Notice of *Ex Parte* Presentation
MM Docket No. 99-25 (In the Matter of Creation of a Low Power Radio Service)

Dear Ms. Dortch:

This notice is submitted in compliance with Section 1.1206(b) of the Commission's Rules.

On Tuesday, January 31, 2012, Brandy Doyle of Prometheus Radio Project and Andrew J. Schwartzman of Media Access Project met with Jessica Almond, Special Counsel to Chairman Julius Genachowski, to discuss issues in the above-captioned docket. Ms. Doyle and Mr. Schwartzman expressed their appreciation to the Commission for moving swiftly to the resolution of the Third Further Notice of Proposed Rulemaking. They shared their support for the Commission's translator processing plan, which would ensure frequencies for LPFM stations in populated areas and thus comply with the directives of the Local Community Radio Act. The market-based plan strikes a reasonable balance between translator applicants and future LPFM stations, allowing some translator applications to be processed immediately while ensuring widespread availability for community radio.

Ms. Doyle and Mr. Schwartzman noted that in addition to the dismissal of translator applications in some markets, national and market caps on translator applications are also needed to ensure LPFM availability. In the Third Further Notice, the Commission noted that 88% of translator applicants would not be impacted by a national cap of ten applications per applicant. A market cap of one application per applicant is equally critical for ensuring localism and diversity in local communities.

Finally, Ms. Doyle and Mr. Schwartzman discussed the need for LPFM applicants to have ample notice to prepare for a filing window after the conclusion of the rulemaking process. Before that time, uncertainty as to channel availability will diminish the interest of most community-based non-profit organizations. After the application process is announced, these groups will need adequate time to learn about the filing opportunity, commit to participate, find available frequencies and develop their applications. Prometheus has requested a minimum of six to nine months after the rulemaking is completed to ensure a successful window.

Respectfully submitted,

/s/ Brandy Doyle

cc: Jessica Almond