



October 22, 2012

Via Electronic Filing

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th StreetSW
Washington, DC20554

Re: MB Docket No. 12-106
MM Docket No. 99-25
***Ex Parte* Notice**

Dear Ms. Dortch:

Pursuant to Section 1.1200, *et seq.*, of the Commission's Rules, National Public Radio, Inc. ("NPR") hereby notifies the Commission of the following *ex parte* presentation in the above-referenced proceedings.

On Friday, October 19, 2012, Greg Lewis, NPR Deputy General Counsel, and the undersigned met with Erin McGrath, Legal Advisor, Media with the Office of Commissioner Robert McDowell. The parties discussed the Commission's Notice of Proposed Rulemaking in MB Docket No. 12-106 with respect to a proposed relaxation of the prohibition on the suspension of programming to conduct third-party fundraising by noncommercial educational (NCE) broadcast stations ("NCE Third Party Fundraising"), and the Commission's Fourth Further Notice of Proposed Rulemaking in MM Docket No. 99-25 with respect to the expansion of Low Power FM (LPFM) station opportunities ("Local Community Radio Act Implementation").

NPR reiterated the views expressed in its comments and reply comments filed in the NCE Third Party Fundraising proceeding that the current waiver system was working well for NCE stations and that the Commission's proposal raises serious operational and fundraising concerns and threatens to commercialize the NCE reserved spectrum to the detriment of the public interest. In particular, NPR reiterated concerns about stations being inundated with requests from local nonprofits, facing pressure to fundraise for affiliated parties, and the proposal's impact on fundraising from individual listeners. NPR also raised further concerns regarding the potential for a significant alteration of the purpose and nature of NCE broadcasting itself.

With respect to the Local Community Radio Act Implementation proceeding, NPR emphasized that the Local Community Radio Act of 2010 ("LCRA") represented a careful balancing of interests in facilitating additional LPFM service and protecting primary and existing secondary broadcast services from interference. Accordingly, NPR urged the Commission to be careful not to upset that balance. In particular, it should avoid significant alterations to the LPFM service rules, including authorizing 250 watt LPFMs, that would depart from the LPFM service that Congress was addressing when it enacted the LCRA. NPR also raised concerns regarding potential waivers of 2nd adjacent channel protections, urging that such waivers occur only under

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limited circumstances as Congress intended so that newly constructed LPFM stations are not forced to ameliorate interference problems, including by terminating service.

Please direct any questions you may have to the undersigned at 202-513-2744.

Sincerely,

Rishi Hingoraney /s/

Rishi Hingoraney
Director of Public Policy & Legislation

Cc: Erin McGrath