

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Creation of A Low Power Radio Service
99-25

)

Docket

REPLY COMMENTS OF DON SCHELLHARDT, ESQUIRE KI4PMG OF CONNECTICUT, NICKOLAUS E. LEGGETT N3NL OF VIRGINIA, W. LEE McVEY, P.E. W6EM OF ALABAMA, LEROY F. SCHELLHARDT OF CONNECTICUT, JOANNE SCHELLHARDT JENNINGS OF NEW YORK, HARVEY CAPLAN OF NEVADA, GERALDINE AHRENS OF NEVADA, REVEREND PHYLLIS NORMAN OF CONNECTICUT, WILLIAM DOERNER OF TEXAS, REVEREND BOARDMAN "BARNEY" KATHAN OF CONNECTICUT, MATT MURILLO OF TEXAS, KHRYSTYNA PUIG OF KANSAS, ALAN McCALL OF FLORIDA, BOB CARTER OF NEW YORK AND REBECCA FARIS OF VIRGINIA TO THE EX PARTE WRITTEN COMMENTS OF THE UNITED CHURCH OF CHRIST

Don Schellhardt is a Government Relations attorney and the President of THE AMHERST ALLIANCE, a nationwide citizens' advocacy group for media reform -- although he is not speaking for that entire organization today. Nick Leggett is an analyst, a technical writer and an inventor with three patents. Together, we constitute the two original Co-Petitioners in Docket RM-9208. The 1997 Petition For Rulemaking in Docket RM-9208 triggered the FCC's first deliberations on establishing the present Low Power FM (LPFM) radio stations.

Today, we wish to add our names to the individuals who co-signed the October 30, 2012 Ex Parte Written Comments, by the United Church of Christ (UCC), in support of an absolutely uniform requirement for a minimum level of locally originated programming on LPFM stations. One of us is a "person of faith", while the other is not, but we both believe ourselves to be honorable.

Standing with us in this support are other undersigned individuals. Most of them are Christian, but the signatories also include an agnostic, a Buddhist, a Native American traditionalist and a Wiccan.

As the two people whose 1997 Petition For Rulemaking led to the FCC deliberations that created the nation's LPFM radio stations, we assure you that we intended these radio stations

to be locally owned, locally managed and locally focused. We did not, and do not, support allowing any of them to become satellite outposts for Calvary Chapel or any other national broadcasting chain, religious or secular.

Reply Comments of Schellhardt, Leggett Et Al.

November 5, 2012

Page Two

We stress that we are not opposed to licensing of LPFM stations with a religious orientation, provided that the station is truly local. We do not want to see any more "officially" local stations turned into megaphones for nationwide evangelists, or NPR, or any other out-of-town broadcasting monolith.

More than 800 LPFM stations are now licensed, with the prospect that current FCC policy decisions could lead to 5,000 LPFM stations or more. Already, due to the FCC's failure to impose a minimum local programming requirement, a significant minority of these LPFM stations have been "unofficially" taken over by national broadcasting chains. Morally, though not legally, this is theft. It is time for the FCC to stop this undercover conversion of LPFM stations -- by setting a uniform minimum level of locally originated programming, beginning with new LPFM licensees and in time progressing to existing LPFM licensees as well.

In this regard, we note that the UCC's October 30 Ex Parte Written Comments reference only the minimum local programming requirement proposal by PROMETHEUS RADIO PROJECT of Pennsylvania. This proposal calls for minimum local programming of 20 hours per week (or roughly 3 hours per day). While this mandatory minimum would be a major improvement over the status quo, it still falls short of the much higher minimum level proposed by THE AMHERST ALLIANCE of Connecticut. Amherst advocates a minimum local programming level of 8 hours per day, following a 2-year phased "ramp up" from 2 hours per day. The Commission should carefully consider both the Prometheus proposal and the more demanding Amherst proposal.

In any event, some kind of uniform requirement for minimum local programming is a fundamental foundation for any LPFM Radio Service.

Reply Comments of Schellhardt, Leggett Et Al.

November 5, 2012

Page Three

Notification

A copy of these Reply Comments has been sent, via E-Mail, to the United Church of Christ Office of Communications (uccmediajustice@gmail.com) and to Cheryl Leanza, Esquire of A LEARNED HAND CONSULTING (cleanza@ALHmail.com).

Respectfully submitted,

Don Schellhardt, Esquire KI4PMG

3250 East Main Street

#48

Waterbury, CT 06705

djlaw@gmail.com

(203) 982-5584

Nickolaus E. Leggett N3NL

1432 Northgate Square

#2A

Reston, VA

leggett3@gmail.com

(703) 709-0752

Reply Comments of Schellhardt, Leggett Et Al.

November 5, 2012

Page Four

Signers of these Reply Comments:

Don Schellhardt, Esquire KI4PMG, Vatican III Catholic, Waterbury, CT

Nick Leggett N3NL, Agnostic, Reston, VA

W. Lee McVey, P.E. W6EM, Non-Denominational Christian, Leeds, AL

(Former Moderator, Church of the Valley, United Church of Christ, Santa Clara, CA)

Leroy F. Schellhardt, United Church of Christ, Naugatuck, CT

Joanne Schellhardt Jennings, Baptist, Mount Morris, NY

Harvey Caplan, Spiritual Orientation Private, Pahrump, NV

Geraldine Ahrens, Spiritual Orientation Private, Henderson, NV

Reverend Phyllis Norman, Pastor, Prospect Congregational Church, United Church of Christ, Prospect, CT

Reverend Boardman "Barney" Kathan (retired), United Church of Christ, Prospect, CT

(Former General Secretary, International Religious Education Association, Yale Divinity School, New Haven, CT)

William Doerner, Christian, Corpus Christi, TX

Matt Murillo, Native American Traditions, Pittsburg, TX

Khrystyna Puig, Wiccan, Rolla, KS

Alan McCall, Baptist, Tallahassee, FL

Bob Carter, Baptist, Utica, NY

Rebecca Faris, Buddhist, Keswick, VA