

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

Creation of A Low Power Radio Service)

FCC Docket 99-25

REPLY OF LET THE CITIES IN!!
TO THE REPLY OF
PUBLIC MEDIA OF NEW ENGLAND, INC. (D/B/A WHAV)
TO THE PETITION FOR RECONSIDERATION
OF LET THE CITIES IN!!

LET THE CITIES IN!! (LTCI) is a newly organized citizens' advocacy group, composed of aspiring Low Power FM (LPFM) broadcasters and radio listeners, with most of them living in urban areas. Our sole mission is greatly increasing the number of urban LPFM stations by allowing the licensing of LPFM stations below 50 watts.

I am the attorney for LTCI. PUBLIC MEDIA OF NEW ENGLAND (D/B/A WHAV) is a Member of LTCI, although it spoke for itself in the filing it submitted today.

Having discussed this matter with Timothy Coco, President * & General Manager of PUBLIC RADIO, I am prepared to announce that LET THE CITIES IN!! endorses the PUBLIC MEDIA proposal.

We believe PUBLIC MEDIA has made an important intellectual contribution to the FCC's current deliberations in Docket 99-25. It has provided a missing piece of the public policy puzzle: How can the FCC keep translators from claiming *all* of the many urban frequencies below 50 watts, given that the Commission has previously granted to translators a *monopoly* of legal access to these precious frequencies?

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LTCI urges the Federal Communications Commission to adopt the PUBLIC MEDIA proposal -- as part of its action on LTCI's Petition For Reconsideration and/or in other proceedings which set parameters for future filing windows.

As we understand the situation, the PUBLIC MEDIA proposal would "dovetail" with LTCI's proposals in the following ways:

- (1.) In locations where LPFM stations may not go below 50 watts -- currently, under the FCC's present Report & Order, *all* locations -- new translators, and other new radio stations, may not go below 50 watts, either.
- (2.) In locations where LPFM stations may not go above 100 watts -- meaning, at present, *all* locations -- new translators may not go above 100 watts, either.
- (3.) If the FCC, hopefully in response to the Petition For Reconsideration of LET THE CITIES IN!! (djlaw@gmail.com), establishes locations where new LPFM applicants may go below 50 watts, new translator applicants in such locations may also move their power levels downward -- as far as the new minimum permissible wattage for LPFMs.
- (4.) If the FCC, perhaps in response to the promised future Petition For Rulemaking of THE POWER BOOST COALITION (John@conexus.fm), establishes locations where new LPFM applicants may go for (and/or licensed LPFM stations may upgrade to) power levels above 100 watts, new translator applicants may also go for (and/or licensed translators may also upgrade to) power levels above 100 watts.

LTCI believes these combined policies are both equitable and workable.

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After all:

How can the Commission say with its *words* that 10 watt stations are not “technically viable” when operated by LPFM broadcasters -- while simultaneously saying with its *actions* that 10 watt stations are perfectly acceptable when operated by translator broadcasting chains?

As PUBLIC MEDIA has said in its Reply to our Petition:

It is time to decide that vital portions of the radio spectrum -- specifically, frequencies between 1 and 50 watts, and between 101 to 250 watts -- will be either equally accessible, or equally *inaccessible*, to both new LPFMs and new translators.

There is no real reason for giving these stations unequal access to frequencies..

Conclusions

For reasons set forth herein, LET THE CITIES IN!! urges the Federal Communications Commission to adopt ::LTCI’s Petition For Reconsideration, as *supplemented by* the March 19. 2013 proposal of PUBLIC MEDIA OF NEW ENGLAND (D/B/A WHAV).

Notification of Referenced Parties

An electronic copy of this document has been sent to Timothy Coco, President & General Manager, PUBLIC MEDIA OF NEW ENGLAND (D/B/A WHAV) of Massachusetts (tcoco@whav.net) and John Gutierrez, President, THE POWER BOOST COALITION of Colorado (John@conexus.fm).

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Respectfully submitted,

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