

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

July 29, 2013

Re: Notice of *Ex Parte* Presentation
MM Docket No. 99-25 – Creation of a Low Power Radio Service

Dear Ms. Dortch:

On Thursday, July 25, 2013, Brandy Doyle and Sanjay Jolly of the Prometheus Radio Project, along with their counsel, Laura Moy and Eric Null of the Institute for Public Representation (collectively, “Prometheus representatives”), met separately with Peter Doyle, James Bradshaw, Parul Desai, Tom Hutton, and Gary Loehrs of the Media Bureau’s Audio Division; Sarah Whitesell of Chairwoman Clyburn’s office and Brendan Murray, Media Bureau Liaison to the Chairwoman’s office; and Alex Hoehn-Saric of Commissioner Rosenworcel’s office. In each meeting, Prometheus representatives asked that the Commission act quickly in releasing an Order on Reconsideration in order to provide clarity and certainty to applicants. They also explained the demand for low power licenses, discussing the range of community organizations who have reached out to Prometheus for information about the FCC’s application process.

In their meeting with Audio Division personnel, Prometheus representatives asked that the Commission take several measures to provide clarity and certainty to potential low power FM applicants. First, they asked that the Commission promptly provide the public with all worksheets needed to complete the LPFM application Form 318, including the RF Radiation worksheet and the Environmental Impact worksheet. They also asked the Commission to provide accurate, complete, and accessible information regarding FM translator input signals. Prometheus representatives asked Audio Division staff to clarify the steps ahead in the application process, including the settlement process for mutually exclusive applicants. Prometheus representatives also brought attention to the potential efficacy of a multiple-round process for resolving settlements between mutually exclusive low power FM applicants, as proposed by Michael Couzens and Alan Korn in their Petition for Reconsideration. Finally, Prometheus representatives explained that LPFM transmitters are required to be *certified*, unlike all other FM, AM and television transmitters, which must be *verified*. They explained that this unnecessary higher standard prevents LPFM broadcasters from purchasing many affordable transmitters, particularly those manufactured abroad. They asked that the Commission allow LPFM stations the same verification standard as other broadcasters.

In their meeting with Mr. Hoehn-Saric, Prometheus representatives also discussed the needs of rural broadcasters. They explained that some rural LPFM stations do not reach a sufficient audience to be economically viable, and discussed their support for the newly enacted rule allowing LPFM licensees to own FM translators. They noted,

