Federal Communications Commission

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of:	)	
	)	
The Revitalization of the AM Radio Service	)	MB Docket No. 13-249
	)	
	)	

Comments/Proposals of DAIJ Media, LLC

DAIJ Media, LLC ("DAIJ"), which is licensee of AM Station KJOZ (FCC ID: 48653) (880 kHz, 10.0 kW-D, 1 kW-N, U, DA-2) at Conroe, Texas, KBRZ (FCC ID: 12156) 1460 kHz, 5 kW-D, 0.120 kW-N, ND), along with affiliated translator K236AR (FCC ID: 142962) (95.1 mHz, 0.99 kW, 254.9 HAAT), both at Missouri City, Texas; KQUE (FCC ID: 57804) (980 kHz, 5.0 kW-D, 4.0 kW-N, U, DA-1) Richmond-Rosenberg, Texas and KRCM (FCC ID: 14228) (1380 kW, 2.8 kW-D, 0.060 kW-N, ND) Shenandoah, Texas, presents its comments on various aspects the above cited FCC Docket styled the "Revitalization of the AM Radio Service" and offers proposals it believes would further the proposed revitalization of the AM band and provide additional opportunities for AM broadcasters to serve their Community of License ("COL").

Proposed One Time Filing Window For Translators

While DAIJ supports the Commission's proposal for a one time filing window devoted exclusively to AM licensees, DAIJ proposes that adding a low power FM to any AM does nothing to alleviate the technical challenges facing all AM's. It is DAIJ's belief that, to compete in any media, the answer is CONTENT. DAIJ is licensee of four AM stations and its non-profit sibling Aleluya Christian Network ("ACN") is licensee of six full power FM's. DAIJ *and ACN together*

hold licenses for ten translators. It has been DAIJ's experience that listeners follow content. While that may seem a simple, natural concept, it seems lost a great number of licensees today. DAIJ has a history of improving each AM it acquires and it is well aware of the technical deficiencies suffered by the AM band. Perhaps some of its suggestions contained herein may be adopted and serve to enhance AM listenership. In the end; however, there is no substitute for programming content uniquely designed to provide potential local audience with something it can find nowhere else.

That having been said, there are a number of items relating to FM translators which would serve to enhance the AM band's position among current media, including:

1. DAIJ believes a translator filing window as proposed in DOC. 13-249 should be limited to standalone Class B and Class C and Class D AM stations. Standalones and Daytimers are among the most challenged and most restricted in their ability to compete. Conducting a one time filing window for such stations would provide a unique opportunity for those stations to improve their relative positions among all other media including Class A stations;

2. DAIJ submits that any AM wishing to add a translator to its license should be allowed a one time opportunity to acquire through purchase any licensed translator or active translator construction permit within 100 miles (160 km) of its AM transmitter site and be allowed to relocate that translator such that it meets either current rules or those adopted as part of the instant rulemaking. This one time move should be treated as a minor change to the translator's license which should then be linked to its sister AM station such that neither license could be transferred without the other being transferred as well.

3. DAIJ proposes that a translator associated with an AM be allowed to be located anywhere within the AM's 2 mV/m Daytime groundwave contour so long as no part of the translator's 60 dBu (1 mV/m) contour extends beyond the 2 mV/m groundwave contour of its associated AM.

4. DAIJ does not see the value of a 25 mile (40.23 km) AM site restriction to a translator's 60 dBu under any circumstance. As DAIJ proposes elsewhere in these comments/proposals, the 2 mV/m Daytime groundwave contour is generally considered in the industry and should be recognized as part of this rulemaking, the interference "free" or protected contour. The 60 dBu contour on the FM band is the protected contour. Common sense, industry norms and the rules should designate the relationship of the AM 2 mV/m and the 60 dBu (1 mV/m) of the translator as being the translator distance limit . The 25 mile limit, through intended to protect AM's from unfair competition, works only as a barrier to allowing many AM's to use their best judgment as to where to place their translator. While many AM are sanguine with adding the translator antenna to their AM tower, for many stations, this option doesn't work. Especially in the case of higher dial position AM's, their towers are generally well below 200 feet in height and often the transmitter site itself is in a low lying area, fine for the AM but often the last place you would want an FM antenna. This leaves a rental spot on an existing tower somewhere other than the AM site as a far better alternative for optimum translator coverage. In many cases, the 25 mile limit to the translator 60 dBu contour renders the prospect for finding such a tower very difficult if not impossible. This limit is a burdensome and technically unnecessary rule which DAIJ proposes be completely eliminated.

5. DAIJ proposes the Intermediate Frequency or "IF" spacing rule be eliminated as it applies to translators used with a sibling AM. Many translators, as is the case with DAIJ licensed K236AR which is associated with DAIJ AM KBRZ, are limited to 99 watts as a result of the spacing requirements to IF channels. IF spacing limits should be eliminated and translators used as fill-in service for AM stations should be allowed a maximum ERP of 250 watts.

Finally, as to translators, we should not kid ourselves; a semi-migration to the FM band using micro-powered FM installations cannot serve alone to "revitalize" the AM industry. At best, it is a stop gap approach. Treating with the technical, and many cases, needless and archaic contour protection challenges facing AM's is a more significant and urgent matter. DAIJ urges the Commission to take a clean sheet approach to the technical suggestions it receives in this and other comments. Only a completely fresh look a these protections will suffice to truly "revitalize" AM.

Eliminate Outdated Protection Rules

In addition to being hampered technically, most AM facilities are shackled with co-channel and adjacent channel protection rules which have either outlived their usefulness or were adopted with good intentions but ultimately, but ultimately, did not serve their purpose. DAIJ proposes the following changes:

While the Commission's proposals to amend both the AM Daytime and Nighttime COL coverage rules to 50% of the population/area are laudable, DAIJ believes the idea of changing the very concept of protected signals is long overdue. For instance, it is time to recognize the fact that the 0.5 mV/m Daytime contour protection serve no useful purpose and should be eliminated as the basis for allocation. When this rule was first initiated there were fewer than 500 broadcast stations in America, all of them AM; no FM, no Television. It was a time when half of all Americans lived on farms; hence, further away from the

few stations that were on the air. Protecting the 0.5 mV/m contour made sense. With so few stations, the idea of "protecting" the 0.5mV/m contour was essential for many listeners who had no alternative.

Under today's circumstances with urban sprawl like that of Houston (which is home to DAIJ), and having no place in America without multiple, reliable sources of information from many platforms, to consider the 0.5 mV/m groundwave contour a useful signal requiring protection is ridiculous and virtually no one in the real world accepts it as such. It is simply not necessary for today's audiences to put up with the vagaries of a 0.5 mV/m contour.

The challenge facing today's AM station is not in-band interference at the 0.5 mV/m contour and for Class A stations, categorically not interference at their 0.1 mV/m contours; it is the lack of enough RF field sufficient to overcome man-made interference in the station's primary service area. Man-made devices from fluorescent lighting to the steel reinforced concrete bridges, overpasses to the very buildings so many of us daily inhabit and a great deal more, are recognized by almost everyone as far greatest sources of damage to AM broadcast reception than co-channel or adjacent interference. That contour protections sourced in the 1930's are even a consideration at this late date is difficult to understand. AM stations simply must have additional RF field to overcome man-made interference. In order to have more field, they must have additional power and to obtain more power, the protected contours must be changed. To that end, DAIJ submits that he 2.0 mV/m Daytime signal should be threshold protection contour. The man-made noise is not going to go away and it isn't going to get smaller; just the opposite. The "horse" is very much out the barn on interference. A way must be found for AM's to put significantly more RF field into their local markets.

The vast majority of stations in the U.S. transmit as Class B (formerly Class III or Regional channels) and were formerly limited to 5,000 Daytime power. Post 1991 the 5 kW Daytime limit was lifted and these stations reclassified Class B stations. Unfortunately, the contour protections required of

co-channels remained unchanged In fact, at the same time first adjacent protections were doubled which left most of the now Class B stations unable to take advantage of the higher power limits. Long out of date and under modern circumstances, overly restrictive contour limits rendered the "opportunity" of higher power only an unattainable dream. To add insult to injury, many industry observers pointed to a lack of "interest" in the higher powers offered to Class B stations as evidence that AM operators were not interested in technical improvements to their stations. Stations already allocated cheek-by-jowl under 1930's contour restrictions found it almost impossible to make improvements under the new rules.

Nevertheless, a relatively small number of former Class III (Class B) stations have been able to increase Daytime power, some up to 50 kW [WWJ (FCC ID: 9621) and WXYT (FCC ID: 28627) in Detroit, WKDN (FCC ID: 25095) in Philadelphia, KZQZ (FCC ID: 72371) in St. Louis, KJR (48386) in Seattle, KFLC (FCC ID: 34298) KMNY (FCC ID: 10825) and KTNO (FCC ID: 34562), all in the Dallas/Ft. Worth market, to name a few] have seen immensely improved ability to cover their individual markets, not from the increased 0.5 mV/m coverage they obtained, but from their ability to overcome man-made interference in their core markets; the ability to transmit through interference sometimes just a few miles from their respective transmitter sites. In each case, the Class B station's local market had vastly outgrown the station's coverage. The power increase gave each the chance to again provide signal capable of overcoming local, man-made interference. But for every WWJ, KJR, WKDN and KMNY, there remain hundreds of Class B stations locked in place by protection requirements that are as restrictive and even more so than they faced when power limits were 5 kW. Rules changes that allow only a few to take advantage of those changes are useless to the overall industry. Clearly, a change in needed.

At night, DAIJ proposes Nighttime protection should be based on protected station RSS calculations using 50% exclusion and that no station entering the RSS limit with 2.5 mV/m or less be considered as part of the allocation process. The 25% exclusion now a part of the rules is too restrictive and was implemented in an effort to reduce interference which has proved ill-conceived. As with the Daytime rules allowing Class B

stations to increase power up to 50 kW while retaining the same contour protections, the 25% exclusion had the opposite effect of it's stated intent. Along with the so-called Ratchet Rule, the elimination of which DAIJ supports, the result has been to hamstring AM stations, creating fewer opportunities to enhance coverage at night, not more. The elimination of the Ratchet Rule renders the 25% exclusion unnecessary in determining the station's RSS at night; therefore, the 50% exclusion along with the 2.5 mV/m limit should be adopted.

DAIJ proposes that Class A night protection be changed to protect the Class A 0.5 mV/m groundwave contour as opposed to its 0.5 mV/m skywave contour. Skywave protection of Class A stations produces an obstacle to AM band viability by protecting a single class of station based upon a model that may have been historically sound but is obsolete in today's environment.

Elimination of the Requirement to Consider Received Interference from Mexican XENVA2 Allocations

DAIJ is well aware that international treaties and conventions place certain limitations on U.S. allocations; however, DAIJ believes that U.S. AM stations seeking to improve their local coverage should not be required to take into consideration the "interference-received" from unbuilt and non-operational Mexican AM allocations, even those which have been accepted by the U.S. Stations which are objected by the U.S. should be ignored completely.

Entering the database as XENVA2 allocations, the U.S./Mexican border is littered with AM allocations on the Mexican side of the border. The vast majority of these allocations are indicated with either 0.5 kW or 1.0 kW Daytime power and Nighttime power of 100 watts, clearly intended as holding allotments only. All are non-directional and most have been "allocated" for 30 years or more but remain as little more than line items on a database. For a large percent of American AM's but especially for those stations close to the Mexican border, their presence greatly impacts antenna design and COL coverage considerations both Day and Night rendering site selection and cost of antenna construction far more expensive, all to protect non-existent facilities.

DAIJ proposes that AM stations should not be required to consider interference received inside the U.S. from these XENVA2 Mexican allocations when applying for improved facilities. DAIJ understands U.S. stations must protect these same Mexican allocations INSIDE Mexico but the elimination of the requirement to consider these non-existent Mexican stations when determining "interference received",(as from these phantom stations would allow many U.S. stations opportunities to greatly improve their facilities and to save a dramatic amount of money on directional antenna systems.

Figure M-3 Should be Updated

DAIJ's history is that it undertakes the technical improvement of every AM license it acquires. To that end, DAIJ has invested many thousands of dollars and huge amounts of manpower on gathering field strength readings in support of applications to make such improvements. History shows that the protected contours of most AM stations authorized since the mid 1950's have been determined using Figure M-3 (the so-called Groundwave Conductivity Map) adopted by the Commission in 1954 to make allocation efforts easier for station applicants. The rules allow that, in lieu of field strength readings to establish the real world conductivity of a region, the theoretical conductivities of Figure M-3 could be used to determine contour protections and the overall allocation for proposed new AM stations and proposed improvements to existing stations.

It is generally accepted in the industry that the conductivities indicated in Figure M-3 are quite conservative (perhaps by as much as 50% or even more) in most areas of the country. DAIJ's overall experience has been that M-3 overestimates groundwave conductivity by 50% more than 75% of the time. Making this determination in the field has allowed DAIJ to file applications to improve each new AM acquired since it acquired its first AM in March 2000. But, the costs associated with gathering this information is immense and very time consuming. An updated Figure M-3 would make many such readings unnecessary and provide real world improvement opportunities for many AM stations.

As with contour protection rules, Figure M-3 was developed in a far different time under different circumstances which now should be reviewed in a contemporary light. With a fully developed AM band, Figure M-3 no longer serves the same purpose as it did when adopted. In addition, over the decades, many tens of thousands of actual field strength readings have been submitted to the Commission both as part of proof of performance filings and in support of improvement applications. as well as allocations for new stations. Those readings should serve as the basis a updating of Figure M-3 to more accurately reflect real world conductivity.

DAIJ proposes that an operation be commenced by the Commission to review the thousands of readings it has at hand and to incorporate the resulting conductivities into an updated Figure M-3 map. The result would be a far more accurate representation of the conductivities across the U.S. As part of updating of Figure M-3 with actual data, DAIJ proposes that the existing Figure M-3 be revised in the interim to show conductivities 25 to 30 percent lower than currently indicated. DAIJ does not represent that conductivities have changed in the 60 years since Figure M-3 was adopted but that the AM band has changed. While it may have been good policy to be conservative with the conductivities represented in Figure M-3 in the 1950's when the filing cabinets and even hallways of the Commission's offices on M Street were filled with mountains of applications for new AM stations, it is not good policy now.

Today, it is man-made interference that bedevils AM stations, hobbling their ability to be competitive in local markets. Those early and mid-1950's applications make up the bulk of today's "senior band;", stations that desperately need improved facilities which translates to more power to generate greater local market RF fields. An updated Figure M-3 would provide hundreds of AM's the opportunity to increase power and expand local coverage without being required to search for less available, more expensive transmitter sites upon which to build extremely expensive and complex

directional antenna systems designed to protect contours which are not close to being as indicated on the current version of Figure M-3.

Conclusions

The Commission's determination that the AM band must be revitalized is to be applauded. Most of the Commission's proposals would render a more vital AM band. However, there may not be many more opportunities to make the band more competitive. It is time to think outside the box. And, it is definitely time to reexamine protection rules in light of latter day circumstances. DAIJ understands the "math" doesn't change. But, the market challenges have definitely changed. The question of keeping AM radio "in the game" should be approached with a fresh set of eyes and the determination to make the band more competitive and less concerned about interference around the edges. Contour separations that made sense sixty years ago few Americans had even heard of a fluorescent light bulb. Today that bulbs populate America by the tens of millions and only more RF field can overcome their threat to AM radio. Not a great deal of time is left to begin dealing with such realities if the bulk of AM is to remain viable.

Respectfully submitted,

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