

January 17, 2014

14-67

Chairman Tom Wheeler
Federal Communications Commission
445 12th St SW
Washington, DC 20554

Dear Chairman Wheeler:

I am writing to express my strong support for the Low Power FM (LPFM) license application submitted by the Pen Bay Islands Community Group (PBICG) on October 17, 2013 with the Federal Communications Commission (File # BNPL – 20131017ALE, Facility ID # 193239). The application, initially accepted, was later denied when it was determined that the selected station frequency did not meet the distance requirement for a LPFM license. An amendment to move the station to another frequency two channel position away was made and filed with the FCC. In this geographic area, it is my understanding that there are no competing LPFM stations and thus their application as amended would meet the FCC requirement as a “singleton”.

I applaud the opportunity the LPFM program affords for communities, in particular those in rural America, to apply for such licenses after a 13-year period since the last opportunity. While I recognize that the FCC has a commitment to streamline the process for such applications, given the limited time frame and the fact that applicants are often untrained in the application process, it is important to provide these communities with every opportunity to connect through the power of radio. A swift review of amended applications in the singleton category is of the utmost importance.

PBICG is based in Vinalhaven, a year-round working island located 12 miles off the coast in Penobscot Bay. Vinalhaven and its surrounding island neighbors that hope to participate in the LPFM station are communities that are independent, resilient, and challenged in many ways that mainland communities are not. In these rural towns, access to communication is a vital lifeline and has great potential to positively impact the economic, cultural and public safety aspects of island life.

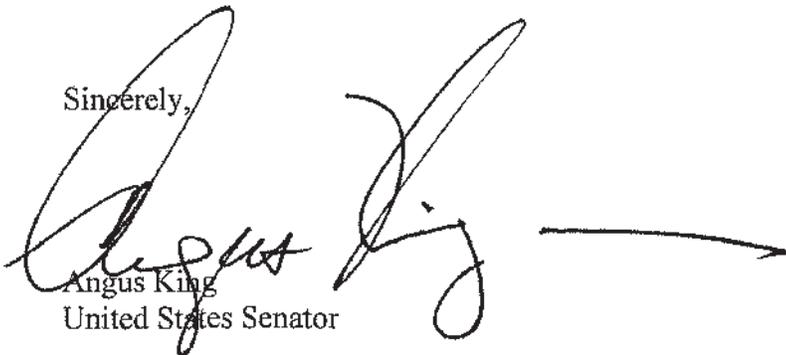
PBICG is comprised of a group of volunteers who have formed specifically to address the issue of island communication. Their mission is to link otherwise remote island Penobscot Bay Island communities (Vinalhaven Island, Isle Au Haut Island, Matinicus Island, North Haven Island, and

Eagle Island) thru shared educational experiences and information sharing via a LPFM radio station. A radio station, designated for geographically remote island communities, would provide unique educational opportunities for community direct linkage and connectedness, which currently do not exist. It will provide a teaching tool for children, a marketplace of ideas for the community and elected officials, a forum for fishermen, and clubs and organizations. Most importantly, it will lessen the isolation imposed by the geography, and strengthen the bonds of community.

The amended application addresses the distance issue, which should allow the license to achieve the singleton status for direct approval. With the infrequency of the opportunities to license LPFM stations, it would present a serious burden on the people of these communities if they were denied the chance to have this license approval reviewed by the FCC. Waiting for a decade or more for another opportunity to apply for an LPFM license is simply not a reasonable expectation.

I encourage the FCC to give due consideration to Pen Bay Islands Community Group's amended application, in accordance with all rules and regulations. I appreciate the commitment to process and regulatory reform that you have indicated is a top priority at the FCC, and I look forward to working with you in the future on these and other efforts to improve communication in rural America. I hope you see the significant impact a LPFM station would have on communication within these island communities and thank you for your time on behalf of the Pen Bay Islands Community Group. Please notify Adam Lachman in my office if you have any questions or concerns. I am happy to answer any questions you may have and await your decision in this important case.

Sincerely,



Angus King
United States Senator

Wonderful project - hope you
can help!



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

March 19, 2014

The Honorable Angus S. King
United States Senate
359 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Senator King:

Thank you for your letter regarding the Pen Bay Islands Community Group's (PBICG) application for a new low power FM (LPFM) station in Vinalhaven, Maine.

As you are probably aware, the window for LPFM applications closed on November 15, 2013. The Commission received more than 2,800 applications. Because the broadcast application process is highly technical, the Commission staff initiated extra steps to inform interested entities of the requirements under our Rules in advance of the LPFM filing window. The Commission recognized, as you did in your letter, that the entities most likely to apply for an LPFM application would need additional assistance. The agency anticipated a large number of applications and conducted outreach to ensure that all applicants were aware of the rules and procedures required for submission of an LPFM application. To that end, the Commission's Media Bureau announced the filing window and procedures in June 2013 and conducted two instructional webinars for potential applicants. The Bureau also developed online channel finders and posted documents on the FCC's LPFM webpage to provide additional guidance.

As you note, the PBICG's application was dismissed on December 5, 2013 for failure to meet the minimum spacing requirements required by Section 73.807 of the Commission's Rules (47 C.F.R. § 73.807). The dismissal letter stated that under existing Commission Rules, such "short-spaced" applications are dismissed without an opportunity to amend. The Media Bureau is reviewing a Petition for Reconsideration filed by PBICG, and will address the issues raised in the petition as expeditiously as possible.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler".

Tom Wheeler