

June 23, 2013

VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

**Re: Summary of the Ex Parte Meetings with Commissioner Michael O’Rielly and
his Senior Legal Advisor and Chief of Staff Courtney Reinhard
MB Docket No. 13-249 and GN Docket No. 12-268**

Dear Ms. Dortch:

This letter is submitted pursuant to Section 1.1206 of the Commission’s Rules to disclose the communications made in the above-referenced proceedings.

On June 19, 2014, Ben Downs, Vice President of Bryan Broadcasting Corporation, which controls the licensee of several radio stations in and around the Bryan/College Station Texas radio market; Oscar Rodriguez, President and CEO of the Texas Association of Broadcasters; and the undersigned met with Commissioner Michael O’Rielly and Courtney Reinhard, his Senior Legal Advisor and Chief of Staff, to discuss the above-referenced proceedings.

Mr. Downs presented the following thoughts about the ideas being discussed in the AM improvement proceeding and suggestions for future actions in that proceeding. It was noted at the meeting that these ideas are those of Mr. Downs himself, and do not necessarily represent those of the Texas Association of Broadcasters or of any other company or organization. His comments and suggestions included the following:

- Mr. Downs indicated that the value of AM stations has been dramatically dropping as the market has been shifting to other audio services and AM has increasing reception issues.
- Mr. Downs related that he has corresponded or spoken with over 200 AM broadcasters about this proceeding, and there is almost universal belief that the use of FM translators for AM stations offers the best short-term way of economically stabilizing AM stations.

- However, FM translators probably will not work in all markets, especially in many larger markets where the spectrum will be too congested to allow for new translators for many (and, in some markets, perhaps almost all) AM stations.
- Mr. Downs suggested that preferences in the award of FM translators in congested markets be given to Class D stations, and then be prioritized among other classes of AM stations to favor those with smaller service areas and limited nighttime power.
- Mr. Downs suggested that there be some limits on interference complaints against new translators to make sure that the complaints are identifying real interference in areas where full-service stations are actually used by station listeners. He suggested that single, isolated complaints of interference far from a primary station's listening area be viewed skeptically.
- Mr. Downs suggested that FM translators used by AM stations, if they are in place for over two years with no complaints of interference, be accorded some sort of protection so that they are not preempted by changes in full-power stations after establishing a listening audience. One idea may be to allow an AM station to turn in its AM license, to lessen AM interference, in exchange for some sort of primary status for its translator operations.
- If displaced, translators should be allowed to use any open frequency as a displacement channel, not just an adjacent channel.
- AM stations without nighttime authorizations, or those with limited nighttime operations, should be allowed to sign-on with some level of useful power at a uniform time rather than having their operational hours change each month. Mr. Downs suggested that a 6 AM sign-on would provide many advantages for such stations.

On another matter, Mr. Rodriguez raised an issue regarding the incentive auction proceeding. He indicated that Texas television stations were concerned as the treaty negotiations that would allow the repacking of the television spectrum has not been completed with Mexico. This issue could have significant impact on Texas television stations, and thus should be resolved before the incentive auction rules and procedures are finalized.

Marlene H. Dortch, Secretary
June 23, 2013
Page 3

Should there be any questions concerning this matter, please contact the undersigned.

Sincerely,

A handwritten signature in blue ink, consisting of a stylized initial 'D' followed by a horizontal line extending to the right.

David Oxenford

cc: Commissioner Michael O'Rielly
Courtney Reinhard