

DOCKET FILE COPY ORIGINAL

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION

3/3/98

STATEMENT IN OPPOSITION TO PETITION RM-9208

**1. Petition will not placate illegal users of spectrum.**

- A. Most would want urban location where spectrum is scarce, certainly not the "same two channels" countrywide as proposed. Piracy would continue by those not awarded a license.
- B. It is likely that 1 watt TPO would be deemed insufficient, leading to mass violations.
- C. If the Petitioners really want to serve the public, they could apply for non-commercial spectrum at the minimum 100 watts which is exempt from application fees and spectrum fees. Also, the Translator service is quite an opportunity, with non-commercial applications exempt from fees.

**2. FCC would be enacting an unenforceable rulemaking.**

- A. The FCC has a minimum staff to enforce existing laws regarding use of spectrum - current users have little recourse if they are being interfered with and must wait years for resolution of complaints. A rulemaking of this sort would only exacerbate this problem.

**3. Petition demeans the efforts of Full-Service broadcasters to serve the public.**

- A. The fees they currently pay would need to be increased to subsidize the regulatory burden of their microstation "competition".
- B. Stations in rural areas would see further fragmentation of audience, therefore endangering their existence (I understand the majority of full service stations currently lose money, at least on paper). The Petitioners do not preclude playing commercials, thereby eroding local support for full-service stations.

No. of Copies rec'd  
List ABCDE

0+9

FCC  
MAR 11 1998

5 1 200 #

C. The Petitioners propose specialized stations i.e. "narrowcasting" which runs counter to the reality of broadcasting to all people. This petition seems ill-timed considering the propagation and popularity of the internet, and internet audio, which is ideally suited to such hobbyists.

D. Regardless of the Petitioners' rhetoric, "broadcasting is limited to wealthy corporations", commercial stations are available for purchase at relatively reasonable prices. One must be willing to move to the rural areas where these stations are located, and give the public that is there the programming they desire. Non-commercial stations are available in all but the largest markets, with the only cost being the engineering study and the actual equipment (the cost of both these items has been reduced substantially in the last 10 years).

**4. The Petitioners are proposing a new status quo, minus inspection, regulation, technical standards, penalties for violations, and regulatory fees (besides the token \$10/year!)**

Therefore, I ask the Commission to deny Petition RM-9208.

Respectfully submitted,



Kurt W. Tuckerman  
Sandyworld Inc. (WMMC-FM)  
11897 E US HWY 40  
Marshall IL 62441  
Ph: 217 826-8017

cc: Nikolaus E Leggett  
Judith F. Leggett  
Donald J. Schellhardt