



SOUTHWIND GROUP

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MAR 19 1998

13 Mar 98

Office of the Secretary
Federal Communications Commission
Room 222
1919 "M" Street, NW
Washington, DC 20544

FCC MAIL ROOM

Re: Comments on Petition for Low-Power FM
RM9242

Dear Mr. Kennard:

As you know, Congress has given the Federal Communications Commission (FCC) the mandate to "encourage the widest possible diversity of broadcasters over the airwaves." FCC statutes further require that "all radio stations...shall use the minimum amount of power necessary to carry out the communication desired."

It is my understanding that Congress' mandate to the FCC means that where there is available space on the public airwaves, then community-based micro stations can provide the diversity that large commercial stations do not offer. Small community-based radio stations, like Lawrence Community Radio (KAW-FM 88.9) with its tiny ten watt transmitter, only operate where there is space on the airwaves. Due to regular calibrations conducted by an engineer the station does not interfere with licensed stations. This is one of the reasons why Japan fully legalized micro radio stations two years ago and Canada has legalized them in rural areas, soon to be extended to urban areas. Most importantly, Class D licenses are still issued to radio stations in the state of Alaska.

Current FCC regulations do not provide for licensing of any radio stations of under 100 watts in power, though such stations were legal in the U.S. until 1978. Since it costs up to \$100,000 to set up a licensed station of 100 watts, ordinary citizens are left without a voice in the community. Please put the "public" back into the public airwaves by adopting new regulations licensing affordable low-power radio stations. This can best be accomplished by expanding the territory in which Class D licenses are permitted to the other 49 states.

Sincerely,

Clark H. Coan
Research Associate

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P.S. Why should the People of Alaska have more rights than those in the Lower 48? Does the Equal Protection Clause of the U.S. Constitution apply here?