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

In the Matter of
Proposal for Creation of Low Power FM
(LPFM) Broadcast Service

FCC RM-9242

Comments of Bryan Page

The petition submitted by Mr. Rodger Skinner (RM-9242) on February 20, 1998, proposing a new class of broadcast station called Low Power FM (LPFM) makes complete sense. A low power FM service will be a major enhancement to the broadcast service in the United States.

Diversity of ownership is one of the biggest needs of broadcasting today. Now more than ever more broadcast stations are being controlled by fewer people. The limited number of stations allowed on the band means that costs for acquiring and maintaining them is becoming enormous. This requires the owners to concentrate more on economics than on public need. Broadcast stations, especially FM, are becoming the means for large corporations to simply sell advertising. Very few stations today are truly community oriented. In a nearby medium sized radio market a single out of town corporation owns at least three FM and one of the AM broadcast stations. The only FM station in my town, a class A, *never* mentions anything about its town of license except to identify once an hour. The transmitter is located in another county eleven miles away. The studio is located in another city in *another state*. That disturbs me! That disturbs a lot of people! More and more the ownership of broadcast stations is becoming out of the reach of small groups with special interests and of minorities. This has come about, not only by deregulation of ownership policies, but by the fact that there are too few stations allowed on the air.

Modern receiver technology will allow many more stations on the air if the second and third adjacent channel restrictions are eliminated and a low power FM service created. Practically all receivers today have at least a ceramic or crystal filter in the I. F. circuit. It can be expected that they have cleaner local oscillators and higher-Q front ends than receivers that were in service when most of the spacing rules were written. FM has caught on now. There is a higher demand for FM receivers today than ever before. This has caused the technology of modern FM radios outstrip the performance of those produced two or three decades ago. Moreover, FM translators using more liberal spacing rules have been licensed around the band in various localities for a number of years with great success. What little amount of interference that might possibly be caused by a relaxation of the spacing requirements would be overshadowed by the much greater service of public interest. The present FM station spacing rules are outdated to the point that the FM broadcast band is underutilized and is overly protected. I ask that the Commission use the technical considerations for interference protection that are described in paragraphs 28 through 48 in RM-9242 when the low power FM service is created.

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The recent increase in the number of "pirate" broadcast stations is an indication of a public dissatisfaction with how most citizens are virtually denied access to the air waves. I even read a quote by Chairman Kennard stating that the pirates "have a point." A low power FM service would allow a relatively inexpensive outlet for more people to access the air waves. Relaxed spacing would allow these smaller stations to serve the public interest in a way that is vastly superior the present arrangement.

Modern technology, such as the Internet, has brought free speech more frequently into the public forum. It is no wonder that in 1995 the Federal District Court refused the FCC's request to order Stephen Dunnifer and "Free Radio Berkeley" off the air when he argued free speech as his right to broadcast. Certain time honored concepts and precedents of the Communications Act of 1934 appear to be harder to enforce or maybe even to justify now. Pirates see this and are becoming bolder in their enterprises. While the Commission pays attorneys, the pirates go on. As a tax payer, I am especially incensed to see more of *my* money at the FCC being used to pay attorneys and court costs battling the pirates when it could be used in providing a sensibly regulated low power FM broadcast service. Reasonable regulatory fees collected from the low power FM broadcasters would offset the cost of maintaining the service.

In implementing this service I believe that it would be a mistake for the Commission to provide for unreasonably low power levels in the low power FM service. A one watt FM station would be little more than a hobbyist's toy. RM-9242 proposes reasonable power levels that will provide a useful service without risking the integrity of the present FM service. The specifications and powers of the three classes of low power FM stations described in paragraphs 23 through 27 of RM-9242 should remain intact.

In conclusion, I ask that the Federal Communications Commission implement a low power FM broadcast service exactly as the one described in RM-9242.

These comments respectfully submitted,

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