



**MEMO FROM NJBA
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

April 24, 1998

**Ms. Magalle Roman Sales
Secretary
Federal Communications Commission
Washington, D.C. 20554**

Re: RM-9208 in the Matter of Microstation Radio Broadcast Service

The New Jersey Broadcasters Association ("NJBA") hereby respectfully submits these comments in opposition to the Petition for Rule Making before the Commission seeking the institution of a rule making proceeding toward the establishment of a microstation radio broadcast service.

NJBA is wholly opposed to the establishment of microstations. The addition of any new broadcast stations to the already crowded broadcast spectrum will cause major interference to existing stations, especially in the Northeast. The addition of a new class of low power stations such as the proposed microstations is particularly a bad idea because such low power facilities have the potential of adding thousands of stations across the U.S. Such a large increase in sources of interference will not serve the public interest and is contrary to the Commission's goal. The establishment of microstations will contravene Commission efforts to decrease interference on the already congested broadcast spectrum. The Commission is, for example, encouraging existing AM stations to migrate to the expanded AM band to alleviate some of the congestion.

The establishment of microstations will further diminish the Commission's public interest mandate by adding potentially thousands of new broadcast stations, which the Commission must regulate. Although State broadcast associations have voluntarily relieved the FCC of some regulatory burdens, by for example, conducting station inspections on behalf of the Commission, the addition of microstations will add enormous regulatory burdens when the Commission already faces budgetary challenges in enforcing its regulations and technical standards. It will be impossible for the Commission to regulate all these new stations properly. This in turn, will hurt the public.

Further, problems such as illegal pirate radio will continue. Present operators of illegal pirate stations have stated publicly through their attorney that they do not have to follow the law and that they have a free speech right to broadcast whatever they want, whenever they want, and wherever they want. It can therefore be assumed that a pirate radio operator who is not granted a microstation license will continue to broadcast

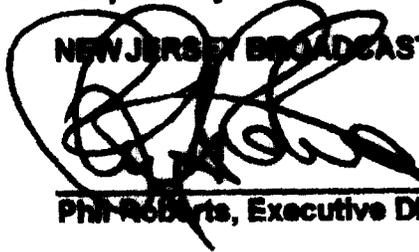
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illegally.

For the foregoing reasons and because the establishment of microstations has the potential to destroy the very fabric of our broadcasting system, the Commission should not entertain the Petition for Rule Making seeking the institution of a rule making proceeding towards the establishment of microstations.

Respectfully Submitted:

NEW JERSEY BROADCASTERS ASSOCIATION

A large, stylized handwritten signature in black ink, appearing to read 'Phil Roberts', is written over the printed name and title.

Phil Roberts, Executive Director