DOCKET FILE COPY ORIGINAL EX PARTE OR LATE FILED

From: "Joseph D'Alessandro" <jdman@magpage.com>
To: A7.A7(SFOX)
Date: 6/13/98 1:05pm
Subject: rule rm-9242

JUN 1 1998

Dear Chairman Kennard,and Commissioner's:

Please File FOR LPFM RULE RM-9242

thank you
Mr.D'Alessandro
94 Angola Estates
Lewes,Delaware 19958

Olga has no problem fileing for 100 watt or more,do you no problem she has, the FCC has priced her out of
the market with the Dictatorship type amount of the entry fee only the rich with absolute power can apply,and afford,it it is
inperative that you give her,and Woman,Blacks,and Minoritys a opportunity to own a Radio Station LPFM,Dont let the NAB etc Rule
you,and the air ways for greed,and nothing more.

The Politics of Policy

The FCC has another more subtle reason for its refusal to allow the existence of low-power radio: the near-total policy vacuum
regarding community radio in the U.S. This vacuum has ensured that the development of community radio in this country has only been
allowed within the limits determined by the existing public radio establishment. This is largely responsible for the legal
difficulties low-power radio advocates are now facing. In the late 1970s and early 1980s, organized political pressure on the FCC
regarding community radio did not come from grassroots activists, but from an institutional alliance between National Public Radio
(NPR) and the National Federation of Community Broadcasters (NFCB). Laboring under the impression that the available slots on the
FM band were rapidly disappearing, the NPR/NFCB alliance pushed for what they called the "professionalization" of public and
community radio. In 1978 both organizations convinced the FCC to constrict the activities and number of 10-watt stations and give
preferential treatment to their wealthier higher-wattage counterparts. To accomplish this policy triumph, NPR and the NFCB
presented a series of recommendations to the FCC regarding the future of community radio. In their 1980 book, Radio in the
Television Age, Peter Fornatale and Joshua Mills note the content of these suggestions:

"(1) stations of less than 100 watts will be required to move to the commercial spectrum, if any room is available. If not, they
will be allowed to stay in the non-commercial band only if they can prove that they will not interfere with any other stations.

(2) Low-power stations will no long be protected from interference, in effect losing all practical spectrum-use rights.

(3) Low-power stations must operate at least 36 hours a week and at least 5 hours a day.

(4) Stations broadcasting less than 12 hours a day will be required to share their frequencies in agreements created and enforced

No. of Copies rec'd 2
List A B C D E

by the FCC. As has been noted elsewhere, the FCC has gone well beyond even these strident provisions. "

The most unexpected consequence of the attempted consolidation of non-commercial radio in the U.S. has been the low-power radio
movement. A movement was created comprised of precisely those operations whose existence the public radio establishment aimed to
prohibit, founded by those whose interests this same establishment repeatedly claimed to serve. Most interesting is the adoption by
the FCC in the Dunifer case of the core concept which propped up the arguments used by the public radio alliance in their palace
coup: spectrum scarcity Representatives of NPR and the NFCB argued that since FM frequencies were scarce, the limited space in the
noncommercial portion of the FM band should not be taken up by "unprofessional" operations with the kind of limited range and
(implicitly) limited appeal of low-power radio. 0f course, spectrum scarcity, where it can be said to exist at all, is not a natural condition, but an imposed one. It has been created by the spectrum management and use policies of the FCC, not by the
activities of 10-watt broadcasters.

More specifically, it has been the deregulatory policies the FCC has followed since 1980 which have put the most pressure on
remaining frequencies.

Deregulation has resulted in drastic over-licensing of the FM band and a subsequent and predictable wave of station bankruptcies
These are convenient facts those who are now building continental networks by scooping up large number of stations at
bargain-basement prices from overextended entrepreneurs trying to get out of a business in which monstrous economies of scale
predominate. The most important fact understand in relation to the arguments of spectrum scarcity adopted by the NPR/NFCB alliance
is that, as deregulation began in earnest 1980, those claiming to represent public and community radio did not fight the policy or
offer any practical alternatives for the independent development of non-commercial radio, but instead enter into a tactical
alliance with the FCC and in the end became beneficiaries of a disastrous policy. The legal inadmissibility of low-power radio is
not due to any potent interference problems that might arise or a crowded radio spectrum It is due to the self-interest those who
are most able to divide non-commercial spectrum space between themselves and influence policy-makers to transform this
self-interest into law.

In contrast the Canadian experience with unlicensed and low-power radio has been made possible only by an arduous decades-long
process of policy development, refinement and implementation, a process that early unlicensed experiments helped to initiate. The
result has been a community radio sector which has steadily expanded from a few stations the late 1960s to several hundred today.
More importantly true public access community radio has been legitimized by the state as despite the occasional factional
domination of one station or another and the chronic financial difficulties many stations face, community radio is legally
recognized, clearly defined, and firmly established in almost every region of the country. The process of policy development has
not occurred in the United States and recent developments have made any possibility of a workable policy defining and solidifying
the limits of the community radio even more remote.

The main lesson for U.S. activists to take away from Canadian community radio is that nothing is as important as a

clear and
practical working definition which sets the terms through which community radio can find its voice and govern its everyday
operations. This definition doesn't necessarily have to be sanctioned by the state nor must it be enshrined in law, but it must
exist and it must sooner or later come to define the agreed-upon limits of the form. The kind of collective definition found in
Canada has allowed for change based on consensus, not force and this, in turn, has built solidarity between stations. All stations
who have accepted the general definition of community radio are now implicitly allied with one another. If one station is attacked
all stations are attacked; what happens to one can happen to all. The range of possible responses to the inevitable encroachment of
blind power and destructive capital is wider and stronger. With this in mind it becomes less difficult to imagine a series of
low-power storefront radio operations across the U.S. whose only responsibilities are to register for the use of regional
frequencies set aside for community access and to reflect and record the needs and desires of their participants, listeners, or
detractors.