

EX PARTE OR LATE FILED

JUNE 26 1998 ORIGINAL

From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A7.A7(TPOWER)  
Date: 6/26/98 8:14am  
Subject: ?

RM-9242

JUN 26 1998

Dear Chairman, and Commissioners; and Chief Counsel;

This is 4th request for a license;  
my Application is a Legal Document:

Your rules a regulations are a civil rights violation in opposition, to my good conduct, and or behavior, i and my wife Olga, in applying for a license are in good conduct, and i am following the laws of a Democratic Government, you are denying, us a license by declareing our statements are UNTRUE, YOU THE FCC REFUSE TO ACCEPT OUR CONSTITUTIONAL RIGHTS IN ACCORDANCE WITH THE CONSTITUTION OF OUR DEMOCRACY AND OR GOVERNMENT WHICH IS TO SERVE THE PEOPLE IN A UN-BIAS AND FAIR AND RESPONSIBLE REPRESENTATION.;

Application for Broadcast License  
To Chairman Kennard; and The FCC Commissioner's

Mr. & Mrs. Joseph L. D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958  
Phone 302-945-1554

We exercise and or put in to action our Legal, and Civil Rights, and abide by the Law Of a free Democracy, Governed by and for the people, with fair, responsible, and, accountable representation by our Elected Officials, and Independent Government Branches as noted  
The FCC, ..

1. From the Bill of Rights: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press..."

2. Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

We Request a Immediate FM frequency Broadcast License  
and or, Freedom to deviate from abuse of liberty. ., and civil rights, under the Democracy that we live in and under.

1. License A.88.3 FM Frequency, 24 hours per day 50 Watts.  
to be Non-Commercial, and Educational, to play music, and teach about, Black American Rythem & Blues Doo-WOP Music, which is an

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

2

American Cultural, A Music Art Form, and A Part of American Heritage, which was abused and Denied Air Play During the 1950's because the Boys and Girls and I mean Pre-Teenagers and Teenagers, where Black, and the Radio Station back then where Predominately White, you know what it is 1998 and it still the same as a matter of knowlege it is worse extent.:

2. License B.88.3 FM Frequincey. Special Event License 6 Hours per-week 24 hours per-month for 1 year. Non-Commercial, Educational same As Above for License A.

please send License .

thank you sincerely  
Mr. & Mrs. D'Alessandro

U.S. Department of Justice

Americans with Disabilities Act

ADA HOME PAGE

<Picture: bar>

I Also file for a Livense threw the ADA

The ADA prohibits discrimination on the basis of disability in employment, programs and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities.

The ADA was signed into law on July 26, 1990. It contains requirements for new construction, for alterations or renovations to buildings and facilities, and for improving access to existing facilities of private companies providing goods or services to the public. It also requires that State and local governments provide access to programs offered to the public. The ADA also covers effective communication with people with disabilities, eligibility criteria that may restrict or prevent access, and requires reasonable modifications of policies and practices that may be discriminatory.

The ADA gives the Department of Justice (DOJ) authority to issue regulations for title II and III of the ADA and to provide technical assistance and enforcement. The Department also has authority to certify that a State or local accessibility code is equivalent to the ADA's requirements for new construction and alterations.

Mr. D'Alessandro

EX PARTE OR LATE FILED

DUPLICATE COPY ORIGINAL

RM-9242

From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A7.A7(SFOX)  
Date: 6/26/98 12:03pm  
Subject: ?

Dear Chairman and Commissioners: i like you guys this is why i transmit this info to you.,  
you better get you PIMP the NAB asap tell them to make sure they turn into community stations.

heres one of you rules

RECEIVED

JUN 26 1998

Licensing of these facilities is prescribed by the Communications Act of 1934, as amended, which sets up certain basic requirements. In general, applicants must satisfy the Commission that they are legally, technically, and financially qualified, and that operation of the proposed station would be in the public interest.

1.this leaves Olga, Woman 99.9%, and Blacks and Minoritys out DISCRIMINATION and or FASCISM AND RACISM  
SAME MEANING, (note (99.9%) not  
able to qualify for a license, (Note DISABLED ALSO)

2. you and i know 90.5 % of the NAB dont give a SHIT about there communitys why they dont have free AIR TIME  
THEY PLAY SOME PSA ON  
SUNDAY MORNING BURY IT NIGHT, YOU LOST COURT CASE RIGHT HERE IN YOUR FIRST PARAGRAPH.  
"\*\*\*\*\* ONLY THE RICH\*\*\*\*\*"

\_-AND THOSE ARE YOUR BASIC REQUIREMENTS

PS I DONT EVEN NEED A ATTORNEY TO HUMBLE YOU IN COURT

Mr.D'Alessandro

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

2

DUPLICATE COPY ORIGINAL  
RM-9242

From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A7.A7(SFOX)  
Date: 6/26/98 11:35am  
Subject: ?

I know you your rules and regulation thats where you make mistake we will find out in court i am just buying time  
YOU STATEMENT TO  
ME SHOULD READ ONLY THE RICH NEED TO APPLY AND OR IF YOU HAVE \$150.000,000 DOLLARS,THE  
POOR ,AND THE POOR WOMAN AND THE DISABLED  
AND BLACKS AND MINORITYS EVEN THOUGH YOU LIVE IN OUR FASCIST FCC RULES GOOD LUCK

Thank you  
Mr.D'Alessandro

RECEIVED

JUN 26 1998

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

- 
- > From: MMBPRD <MMBPRD@fcc.gov>
  - > To: jdman@magpage.com
  - > Subject: broadcast radio license information
  - > Date: Friday, June 26, 1998 9:14 AM
  - >
  - > GENERAL INFORMATION
  - >
  - > Any qualified citizen, company, or group may apply to the Federal
  - > Communications Commission (FCC) for authority to construct a standard
  - > (AM), frequency modulation (FM), or television (TV)
  - > broadcast station.
  - >
  - > Licensing of these facilities is prescribed by the Communications Act of
  - > 1934, as amended, which sets up certain basic requirements. In general,
  - > applicants must satisfy the Commission that they are legally, technically,
  - > and financially qualified, and that operation of the proposed station would
  - > be in the public interest.
  - >
  - > Full details of the licensing procedure and station operation are in Part 1
  - > of the Commission's Rules, "Practice and Procedure," and Part 73, "Radio
  - > Broadcast Services." This includes technical standards for AM, FM, and
  - > TV stations, and TV and FM channels (frequency) assignments by
  - > states and communities. These rules are summarized in this publication.
  - > Copies of the complete rules may be purchased from the Superintendent
  - > of Documents, Government Printing Office, Washington, D.C. 20402;
  - > (202) 512-1800.
  - >
  - > Most applicants retain engineering and legal services in preparing their
  - > applications. The Commission does not perform technical or other special
  - > studies for prospective applicants nor does it recommend individual
  - > lawyers or engineers. Names of firms and individuals practicing before
  - > the Commission are listed in various trade publications. Broadcasting &
  - > Cable Yearbook and the Television and Cable Factbook are two such
  - > publications. These publications can be found in most public libraries or

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

> may be obtained by writing:

>  
> Reed Reference Publishing Company  
> Attention: Customer Service  
> 121 Chanlon Road  
> New Providence, NJ 07974  
> 1-800-521-8110

> and

>  
> Warren Publishing, Inc.  
> 2115 Ward Court, N.W.  
> Washington, D.C. 20037  
> (202) 872-9200

> respectively.

>  
> The following is a summary of the consecutive steps to be followed in  
> applying for the authorization to build and operate a broadcast station.  
> The application procedure is substantially the same whether  
> the facility sought is AM, FM, or TV.

>  
> AM STATIONS

>  
> An applicant must make his/her own search for an AM frequency on  
> which they can operate without causing or receiving interference from  
> existing stations and stations proposed in pending applications.  
> At present, AM stations operate in the existing band from 540 kHz to  
> 1600 kHz. The Commission is in the process of authorizing certain  
> existing licensees to operate in the expanded band from 1610  
> kHz to 1700 kHz, however, this band is not presently available to  
> applicants for new broadcast stations. In the United States and in Region  
> 2, the channels are spaced at 10 kHz intervals. Stations are designated  
> channel by channel to serve various size areas and operate on "clear,"  
> "regional" and "local" channels. Dominant clear channel stations (Class  
> A) operate at a maximum power of 50,000 watts; secondary clear  
> channel stations (Class B) operate at a power between 250 watts and  
> 50,000 watts. Many stations (Class D) operate as daytime only stations.  
> (Applications are no longer being accepted for daytime only stations).  
> Class B stations operating on regional channels may now operate at  
> power levels between 250 watts and 50,000 watts. Class C stations  
> operate on local channels serving limited areas and operating with no  
> more than 1,000 watts day and night.

>  
> Please be aware that the submission of an application for an AM station  
> requires the payment of an application filing fee.

>  
> [ Special Note (added Nov. 26, 1997) -- For conflicting applications, the  
> comparative hearing process is in the process of being replaced by an  
> auction process. See Competitive Bidding for Commercial Broadcast and  
> Instructional Fixed Television Service Licenses (Word Perfect 5.1  
> version). Details have not been worked out as of Nov. 26, 1997 ]

>  
> FM STATIONS

>  
> The FM service includes the frequencies from 88.1 MHz through 107.9  
> MHz. These frequencies are also known as FM broadcast channels (See  
> 47 C.F.R. Section 73.201). The FM channels run from Channel 201 (88.1  
> MHz) through Channel 300 (107.9 MHz).

> Channels 221 through 300 (92.1 MHz through 107.9 MHz) are generally  
> used for commercial FM stations. Any applicant wishing to apply for a  
> commercial FM station (or a noncommercial educational station on  
> Channels 221 to 300) must first determine if there are any unused  
> frequencies ("allotments") assigned to the community to be served. The  
> FCC maintains a Table of Allotments (47 C.F.R. Section 73.202) that is  
> helpful in identifying any available channels. These tables are  
> available from the FCC's Copy Contractor. If an applicant identifies an  
> unused channel that is listed as a first come / first served allotment, then  
> the applicant may file an application (FCC Form 301) for the vacant  
> allotment. If the applicant identifies an unused channel that has a window  
> filing period for the allotment, the applicant may file an application for that  
> channel before the end of the window filing period. If the current FM  
> Table of Allotments indicates that there are no unused channels  
> allotted to the community, the applicant may have a private consulting  
> engineer, of their choice, perform an engineering study to identify a  
> channel that may be allotted to the desired community. If  
> the applicant identifies a channel that could be allotted to serve the  
> community, the applicant may submit a petition for rulemaking to the FCC's  
> Allocations Branch (Policy and Rules Division, Mass Media Bureau)  
> requesting allotment of the channel to serve the desired community. See  
> How to Participate in the Rule Making Process. If the FCC approves the  
> petition, the channel will be added to the FM Table of Allotments and  
> applications may be filed during a "window" filing period (usually  
> a 30 day period) specified by the FCC. (See FM Commercial Application  
> Filing Windows for additional information.) If there are conflicting or  
> "mutually exclusive" applications filed in the window period, the  
> applications will be designated for a comparative hearing before an  
> administrative law judge.

>  
> Applicants filing for a commercial FM station during a window filing  
> period, or filing for a first come / first served vacant allotment, must  
> include the application filing fee with the construction permit application.

>  
> Channels 201-220 (88.1 MHz to 91.9 MHz) are reserved for  
> noncommercial educational operation. Applicants for noncommercial FM  
> radio stations must first conduct an engineering study for a suitable  
> channel within the reserved band to serve the desired community. Once  
> the engineering study has been completed and a suitable channel within  
> the reserved band is identified to serve the desired community, an  
> application (FCC Form 340) may be filed for that channel. The application  
> is then placed on an "A" cutoff list, which defines a date by which any  
> competing applications or petition to deny must be filed. If no competing  
> applications are filed, legal review and further technical review is  
> performed on the application, with that application being granted if it is  
> acceptable. If there are conflicting or "mutually exclusive" applications  
> filed on or before the "A" cutoff date, the applications will be designated  
> for a comparative hearing before an administrative law judge.

>  
> [ Special Note (added Nov. 26, 1997) -- For conflicting commercial FM  
> applications, the comparative hearing process is in the process of being  
> replaced by an auction process. See Competitive Bidding for Commercial  
> Broadcast and Instructional Fixed Television Service Licenses  
> (Word Perfect 5.1 version). Details have not been worked out as of Nov.  
> 26, 1997. ]

>  
> Channels in the unreserved portion of the FM band (Channel 221 through  
> Channel 300 or 92.1 MHz-107.9 MHz) may be used for noncommercial  
> programming. However, procedures governing commercial FM channels

- > will apply (i.e., window filing periods, technical requirements). No
- > application filing fee is required for applicants seeking authorization for a
- > noncommercial educational station.

>

- > The Commission authorizes seven classes of FM stations: A, B1, B, C3,
- > C2, C1, and C. The maximum power for a Class A station is 6,000 watts;
- > Class B1 is 25,000 watts; Class B 50,000 watts; Class C3 is 25,000
- > watts; Class C2 is 50,000 watts; Class C1 is 100,000 watts; and Class
- > C is 100,000 watts but at a higher (300 to 600 meter) antenna height
- > above average terrain (HAAT). (See FM Classes.) The minimum power
- > authorized for any FM station is 100 watts. (See Low Power Broadcast
- > Radio Stations.)

>

#### > FM Translator Stations

>

- > FM Translators comprise a low power service on the FM broadcast band
- > (88 to 108 MHz) which complements the primary FM service. This
- > service was first created in 1970 to allow FM stations to provide
- > supplementary service to areas in which direct reception of radio
- > service is unsatisfactory due to distance or intervening terrain barriers
- > (e.g., a mountain). Translators may not originate programming, except for
- > very limited fundraising efforts. . Translator stations rebroadcasting
- > commercial FM stations may be authorized on Channel 221 through 300
- > (92 MHz to 108 MHz), while translators rebroadcasting a noncommercial
- > educational FM station may be authorized on any FM channel (201 to
- > 300). The maximum effective radiated power permitted for any translator
- > station is 250 watts. The maximum power permitted for a particular
- > transmitter station may be further limited by the location of that station.

>

- > Applications for a construction permit for an FM translator station must
- > be filed on FCC Form 349. Once construction is completed in accordance
- > with the construction permit granted by the FCC, a license application on
- > FCC Form 350 is then necessary. An application filing fee is required for
- > FM translator stations which rebroadcast a commercial FM primary
- > station.

>

- > Further information about FM translator stations is available in the fact
- > sheet, FM Translator and Booster Stations.

>

- > [ Special Note (added Nov. 26, 1997) -- For conflicting translator
- > applications, the comparative hearing process is in the process of being
- > replaced by an auction process. See Competitive Bidding for Commercial
- > Broadcast and Instructional Fixed Television Service Licenses (Word
- > Perfect 5.1 version). Details have not been worked out as of Nov. 26,
- > 1997. ]

>

#### > HOW CAN I GET AN AM, FM OR TV BROADCAST STATION?

>

- > To apply for a new AM station, or a commercial FM station or a
- > commercial TV broadcast station for which a vacant allotment is
- > available, the applicant must submit FCC Form 301 (Application for
- > Construction Permit for Commercial Broadcast Station), with the
- > applicable application filing fee. Noncommercial educational television
- > applicants, and noncommercial educational FM station applicants filing for
- > operation on Channels 201 through 220, must submit FCC Form 340
- > (Application for Construction Permit for Noncommercial Educational
- > Broadcast Station): no application filing fee is required for noncommercial
- > educational applicants. These forms are also used to make modifications
- > in an existing facility. FM Translator, TV Translator and LPTV, applicants
- > must submit FCC Form 346 (Application for Authority to Construct or

- > Make Changes in an LPTV, TV Translator, or FM Translator Station).
- > These forms require information about the citizenship, legal and financial
- > qualifications of the applicant, as well as engineering and technical
- > specifications of the proposed or modified transmitter site.
- >
- > Another way to obtain a broadcast station is to purchase an existing
- > station that the owner is willing to sell. The FCC does not maintain a list of
- > stations for sale and does not participate in the negotiations of the sales
- > contract. Station brokers and communications attorneys can assist you
- > in identifying stations that are for sale. You may also contact individual
- > station owners directly to see if they are interested in selling their station.
- > After you have found a station for sale, and have signed a contract to
- > purchase the station, FCC Form 314 (Application for Consent to
- > Assignment of Broadcast Construction Permit or License) must be
- > submitted within 30 days accompanied by appropriate filing fees.
- > Applicants who apply to purchase a station may not take over operation
- > until the FCC approves the application to purchase the station. Once the
- > application is approved, the buyer must submit a letter of consummation
- > within 90 days of the grant. FCC Form 323 (Ownership Report for
- > commercial stations) or FCC Form 323-E (Ownership Report for
- > Noncommercial Educational stations) must also be submitted within 90
- > days of the grant. FCC Form 315 (Application for Consent to Transfer of
- > Control of Corporation Holding Broadcast Station Construction Permit or
- > License) must be submitted when a controlling block of shares of a
- > broadcasting company is transferred to a new entity or an individual.
- > There is also a FCC Form 316 (Application for Consent to Assignment or
- > Transfer of Control) which is used when a station is involuntarily
- > transferred, such as to a trustee in bankruptcy. FCC Form 316 is also
- > used for Pro Forma (changes in form, not substance) assignments and
- > transfers, such as a sale from a person to a corporation controlled by
- > that person.
- >
- > Broadcast applications must be submitted in triplicate, with the
- > appropriate application filing fee attached. (See Mass Media Fee Filing
- > Guide for fee information). Applications for noncommercial educational
- > stations do not require a filing fee.

#### APPLICANTS MUST GIVE LOCAL NOTICE

- > All applicants must give local notice in a newspaper of general circulation
- > in the community in which the station is licensed or proposed to be
- > licensed. They must also afford an opportunity for the public to file
- > comments on these applications with the Commission. Copies of the
- > application must be maintained in the station's public files or at a location
- > accessible to the public in the community where the station is proposed,
- > i.e. public library, post office. Licensees who submit a license renewal
- > application must give local public notice of the filing by broadcasting
- > announcements over their stations. Any application that is designated for
- > hearing must again give local public notice indicating such action by the
- > Commission. (See 47 CFR Section 73.3580).
- >
- > The Commission receives many inquiries annually (over 13,000 per year!)
- > from individuals and groups wishing to start a "low power" or "micro
- > power" radio station for local broadcasts (AM or FM). The Audio
- > Services Division has assembled this general information to answer
- > some of the more commonly received questions on this subject.
- >
- > A number of inquiries received at the Commission are from persons or
- > groups who believe that there is a First Amendment, constitutionally

> protected right to broadcast. However, the Supreme Court of the United  
> States has repeatedly ruled on this subject and concluded that no right to  
> broadcast exists.

>

> In *National Broadcasting Co. v. United States*, 319 U.S. 190 (1943), the  
> Supreme Court stated, in pertinent part, as follows (footnotes omitted):

>

> We come, finally, to an appeal to the First Amendment. The  
> Regulations, even if valid in all other respects, must fall because they  
> abridge, say the appellants, their right of  
> free speech. If that be so, it would follow that every person whose  
> application for a  
> license to operate a station is denied by the Commission is thereby  
> denied his  
> constitutional right of free speech. Freedom of utterance is abridged  
> to many who wish  
> to use the limited facilities of radio. Unlike other modes of expression,  
> radio inherently  
> is not available to all. That is its unique characteristic, and that is why,  
> unlike other  
> modes of expression, it is subject to government regulation. Because  
> it cannot be used  
> by all, some who wish to use it must be denied. . . . The right of free  
> speech does not  
> include, however, the right to use the facilities of radio without  
> license. The licensing  
> system established by Congress in the Communications Act was a  
> proper exercise of  
> its power over commerce. The standard it provided for licensing of  
> stations was the  
> 'public interest, convenience, and necessity.' Denial of a station  
> license on that ground,  
> if valid under the Act, is not a denial of free speech.

>

>

> In addition, in *Red Lion Broadcasting Co., Inc. v. United States*, 395 U.S.  
> 367, 89 S.Ct. 1794 (1969), the Supreme Court of the United States  
> stated, in pertinent part, as follows (footnotes omitted):

>

> When two people converse face to face, both should not speak at  
> once if either is to  
> be clearly understood. But the range of the human voice is so limited  
> that there could  
> be meaningful communications if half the people in the United States  
> were talking and  
> the other half listening. Just as clearly, half the people might publish  
> and the other half  
> read. But the reach of radio signals is incomparably greater than the  
> range of the human  
> voice and the problem of interference is a massive reality. The lack of  
> know-how and  
> equipment may keep many from the air, but only a tiny fraction of  
> those with resources  
> and intelligence can hope to communicate by radio at the same time if  
> intelligible  
> communication is to be had, even if the entire radio spectrum is used  
> in the present  
> state of commercially acceptable technology.

>

> It was this fact, and the chaos which resulted from permitting anyone

> to use any  
> frequency at whatever power level he wished, which made  
> necessary the enactment of  
> the Radio Act of 1927 and the Communications Act of 1934. National  
> Broadcasting  
> Co. v. United States, 319 U.S. 190, 210 - 214 (1943). It was this reality  
> which at  
> the very least necessitated first the division of the radio spectrum into  
> portions reserved  
> respectively for public broadcasting and for other important radio  
> uses such as amateur  
> operation, aircraft, police, defense, and navigation; and then the  
> subdivision of each  
> portion, and assignment of specific frequencies to individual users or  
> groups of users.  
> Beyond this, however, because the frequencies reserved for public  
> broadcasting were  
> limited in number, it was essential for the Government to tell some  
> applicants that they  
> could not broadcast at all because there was room for only a few.  
>  
> Where there are substantially more individuals who want to  
> broadcast than there are  
> frequencies to allocate, it is idle to posit an unbridgeable First  
> Amendment right to  
> broadcast comparable to the right of every individual to speak, write,  
> or publish. If 100  
> persons want to broadcast but there are only 10 frequencies to  
> allocate, all of them  
> may have the same 'right' to be a licensee; but if there is to be any  
> effective  
> communication by radio, only a few can be licensed and the rest must  
> be barred from  
> the airwaves. It would be strange if the First Amendment, aimed at  
> protecting and  
> furthering communications, prevented the Government from making  
> radio  
> communication possible by requiring licensees to broadcast and by  
> limiting the number  
> of licensees so as not to overcrowd the spectrum.  
>  
> This has been the consistent view of the Court. Congress  
> unquestionably has the power  
> to grant and deny licenses and to eliminate existing stations. [citation  
> omitted here]. No  
> one has a first amendment right to a license or to monopolize a radio  
> frequency; to  
> deny a station license because 'the public interest' requires it 'is not a  
> denial of free  
> speech.' National Broadcasting Co. v. United States, 319 U.S. 190,  
> 227 (1943).

>  
>  
> "QUIET SPOTS" BETWEEN STATIONS ON THE DIAL  
>

> The fact that there are locations on a radio tuning dial which do not  
> receive a broadcast station does not necessarily indicate that a station  
> can be added on that frequency. A station's signal on the same  
> frequency or an adjacent frequency which is too weak to be picked up  
> by a radio receiver can still cause interference to other broadcast

> stations. For this reason, the Commission's rules require that  
> stations located very close in frequency be located in different  
> communities separated by some physical distance, so as to limit any  
> potential interference.  
>  
> Before it can be determined whether any "quiet spot" could support a  
> broadcast station, the interested individual or group would need to have  
> an engineering study performed to determine whether the frequency can  
> actually be used. See our Information Sheet about How To Apply For A  
> Broadcast Station located at  
> <<http://www.fcc.gov/nmb/asd/getstat.html>>.

> >>> "Joseph D'Alessandro" <jdman@magpage.com> 06/26/98 08:11am

> >>>

> Dear Chairman, and Commissioners, and Chief Counsel;

>

>

> This is 4th request for a license;

> my Application is a Legal Document:

>

>

> Your rules and regulations are a civil rights violation in

> opposition, to my good conduct, and or behavior, i

> and my wife Olga, in applying for a license are in good conduct, and i am

> following the laws of a Democratic Government, you are

> denying, us a license by declaring our statements are UNTRUE, YOU THE

> FCC REFUSE TO ACCEPT OUR CONSTITUTIONAL RIGHTS IN

> ACCORDANCE WITH THE CONSTITUTION OF OUR DEMOCRACY AND OR

> GOVERNMENT WHICH IS TO SERVE THE PEOPLE IN A UN-BIAS AND

> FAIR AND

> RESPONSIBLE REPRESENTATION,;

>

>

>

>

>

>

>

>

>

>

> Application for Broadcast License

> To Chairman Kennard, and The FCC Commissioner's

>

> Mr. & Mrs. Joseph L. D'Alessandro

> 94 Angola Estates

> Lewes, Delaware 19958

> Phone 302-945-1554

> We exercise and or put in to action our Legal, and Civil Rights, and abide

> by the Law Of a free Democracy, Governed by and for the

> people, with fair, responsible, and, accountable representation by our

> Elected Officials, and Independent Government Branches as noted

> The FCC, .:

>

>

> 1. From the Bill of Rights: "Congress shall make no law

> respecting

> an establishment of religion, or prohibiting the free exercise

> thereof; or abridging the freedom of speech, or of the press.. "

>

- > 2. Article 19: "Everyone has the right to freedom of opinion and
- > expression; this right includes freedom to hold opinions without
- > interference and to seek, receive and impart information and ideas
- > through any media and regardless of frontiers."

>

>

- > We Request a Immediate FM frequency Broadcast

> License

- > and or, Freedom to deviate from abuse of liberty., and civil rights, under
- > the Democracy that we live in and under.

>

>

>

- > 1. License A.88.3 FM Frequency, 24 hours per day 50 Watts.

> to be Non-Commercial, and Educational, to play music, and

> teach about, Black American Rythem & Blues Doo-WOP Music, which is

> an

> American Cultural, A Music Art Form, and A Part of American

> Heritage, which was abused and Denied Air Play During the 1950's

> because

> the Boys and Girls and i mean Pre-Teenagers and Teenagers, where

> Black, and the Radio Station back then where Predominately White, you

> know what it is 1998 and it still the same as a matter of knowlege

> it is worse extent.:

>

- > 2. License B.88.3 FM Frequency. Special Event License 6 Hours

> per-week 24 hours per-month for 1 year. Non-Commercial, Educational

> same

> As Above

> for License A.

>

>

> please send License .

>

>

> thank you sincerely

> Mr. & Mrs. D'Alessandro

>

>

>

>

> U.S. Department of Justice

>

> Americans with Disabilities Act

>

> ADA HOME PAGE

>

> <Picture: bar>

>

> I Also file for a Liveness throu the ADA

>

> The ADA prohibits discrimination on the basis of disability in employment,

> programs and services provided by state and local

> governments, goods and services provided by private companies, and in

> commercial facilities.

>

> The ADA was signed into law on July 26, 1990. It contains requirements

> for new construction, for alterations or renovations to

> buildings and facilities, and for improving access to existing facilities of

> private companies providing goods or services to the

- > public. It also requires that State and local governments provide access
- > to programs offered to the public. The ADA also covers
- > effective communication with people with disabilities, eligibility criteria
- > that may restrict or prevent access, and requires
- > reasonable modifications of policies and practices that may be
- > discriminatory.
- >
- > The ADA gives the Department of Justice (DOJ) authority to issue
- > regulations for title II and III of the ADA and to provide
- > technical assistance and enforcement. The Department also has
- > authority to certify that a State or local accessibility code is
- > equivalent to the ADA's requirements for new construction and
- > alterations.
- >
- >
- >
- >
- >
- >
- > Mr.D'Alessandro
- >
- >

Untitled

DO NOT REMOVE ORIGINAL

JUN 26 1998

FCC MAIL ROOM

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 Rad  
io  
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 th  
e  
existence of low-power radio: the near-total policy vacuum regardi  
ng  
community radio in the U.S. This vacuum has ensured that the  
development of community radio in this country has only been allow  
ed  
within the limits determined by the existing public radio  
establishment. This is largely responsible for the legal difficult  
ies  
low-power radio advocates are now facing. In the late 1970s and ea  
rly  
1980s, organized political pressure on the FCC regarding community  
radio did not come from grassroots activists, but from an institut  
ional  
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 th  
e  
"professionalization" of public and community radio. In 1978 both  
organizations convinced the FCC to constrict the activities and nu  
mber

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 longer 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 by the FCC. As has been noted elsewhere, the FCC has gone well beyond even the most 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. Of 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 does not 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

r and  
destructive capital is wider and stronger. With this in mind it be  
comes  
less difficult to imagine a series of low-power storefront radio  
operations across the U.S. whose only responsibilities are to regi  
ster  
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.

DOCKET FILE COPY ORIGINAL

Olga wants a LPFM STATION ::lets make it short:RM-9242  
summit comments rm-9242

RECEIVED

JUN 26 1998

this is one point of many:

tell this to Mr. Fritzy NAB

FCC MAIL ROOM

all the local so called community stations owned by  
rates  
all have there 2 3 4 stations they own in one town in one building  
hey  
man thats COMMUNITY RADIO THEY DON"T EVEN BROADCAST FROM THE TOWN  
WHERE  
THERE LEGAL I.D. is ,back to Olga, everyone of the station so calle  
d  
Community stations within 60 miles of Olga( will not give her 2 ho  
urs  
of air time she has repeatedly said she would do it free there fav  
orite  
excuse is YOUR DOO\_WOP MUSIC DONT FIT OUR COMMUNITY FORMAT AND THI  
S  
BLACK MUSIC BY TEENAGERS STARTED THE ROCK N ROLL ERA AND THE BRITI  
SH  
INVASION AND MORE.

Mr.D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958  
303-945-1554

No. of Copies rec'd 1  
List A B C D E

DOCKET FILE COPY ORIGINAL

RECEIVED

JUN 26 1998

FCC MAIL ROOM

Chairman Kennard, and Commissioner's:

Summit FOR LPFM RM-9242

Comments FOR LPFM RADIO RULE RM\_9242:

We need LPFM radio to give honest individuals, and sincere individuals the opportunity, to own a Station like Olga, Other Woman and Blacks and Minorities.

The NAB thinks the FCC is a Joke, in my State Of Delaware, 3 radio Conglomerates Scott, Cumulus which is an investment firm, and Delmarva Broadcasting own 98% of the Radio Stations, now here is the Fascism behind it all they have 2 3 4 5 stations and there all together in one City and or Town, all studios in one Building, now FCC that is Community Radio, they can't have Community Radio because they want to make Money, now in Olga's Case she can have Town Police Dept. On, State Police Etc, Decuss Safety, DWI, any thing that deals with the Community and State, Chamber of Commerce, fire Department, Individuals to play there favorite Music, and so many other things, why because we don't need the money to Operate a LPFM Station, plus Olga can Educate, about her Music, and Give the R & B Groups there air time and Recognition, which they deserve PS this is "" Truely a Race Problem "" ,: with Olga's Music.

Pass RM9242

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

No. of Copies rec'd 1  
List A B C D E

Dear Chairman Kennard, Commissioners, Ladys, Senators, and Congressman  
:

RECEIVED

JUN 26 1998

FCC MAIL ROOM

Please file comment for:  
Rule RM-9242

One major problem is the enormous entry fee, and all the p  
aper  
work which is Discriminatory, and Fascism, at a very high level, 97.8  
% of  
Woman, Blacks, and Minoritys, threw no fault of there own, can not fin  
ance  
a station because of the Discriminatory amount you the FCC charges  
the  
fact is all you need is Serveral Hundred Dollars, and a Approved FM  
frequencey by a Consultant Engineer approved by the FCC, thats it. t  
he  
re4st is all Fascism covered up in a Democracy by the way is ''''a  
Government by the people, equality of rights, and oppportunity and fa  
ir  
treatment. pass a LPFM SERVICE FOR OLGA<WOMAN<BLACKS<AND MINORITYS>

Thank You

Mr. D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958  
302-945-1554

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

DOCKET FILE COPY ORIGINAL

RECEIVED

JUN 26 1998

FCC MAIL ROOM

Dear Chairman, Mass Media, Roy Stewart, And Commissioners:

PASS RULE RM 9242 COMMENTS

Hi Roy you

are  
 not answering my questions, you send me mail i know the rules thata  
 the  
 point you need to amend the rules and change them, i agree with you  
 and  
 the FCC, if the FCC puts a frequincey out there then everyone has a  
 right to bid on it ,but as i stated to President Clinton if i have  
 to  
 take my life savings and invest it in a Consultant Engineer, to fin  
 d a  
 frequincey for me it should belong to me and dont say that is a  
 financial risk it is not if the station dont make money that is a  
 financial risk not to locate a frequincey, the FCC needs to change  
 that  
 rule. would you invest \$2,000.00 to locate a frequincey then have t  
 he  
 FCC give it to someone else who didnt spend a penny. that rule is w  
 rong  
 a i will challenge it under my legal rights and bill of rights, and  
 civil rights it is unconstutational, if the FCC puts a frequincey out  
 i  
 agree everyone should have a legal right to bid on it. Roy change t  
 he  
 Rule do what is right

thank you

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

No. of Copies rec'd \_\_\_\_\_ /  
 List A B C D E

RECEIVED

JUN 26 1998

FCC MAIL ROOM

PASS LPFM COMMENTS RULE RM-9242

Dear Chairman and Commissioners:

i am not a PHD>i guess you can tell by my spelling and grammer,i try.

the thing i do have is what is known as street w  
ise:

i been studing the Dunnifer case, and like i said i have nothing t  
o  
hide in any of the Statements i made and will make until this LPF  
M  
issue is over.

you the FCC have set a example,justification for later one,and or  
Precedent:in that case Dunnifer lost i think was because he did no  
t  
apply for application,and or special event license,i am not sure,b  
ut i  
can say that saved you because you did violate his rights,he made  
a  
mistake,by breaking the law,but i will apply for license and speci  
al  
event license,and when you obbiously violate my rights and denie m  
e a  
license.Now you did issue a Special Event License that was the mai  
n  
point in your case,Special Event is''''''''an  
occurrence,important,distinctive,unique unusual,highly valued,and  
or  
special thing such as Olga's Music Collection,Tangible an Inanimat  
e  
objects Olga's Music Is That And Much More.

get your legal peop[le and figure it out.

Love You Guys

cc:ACLU

No. of Copies rec'd 1  
List A B C D E