

BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

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

FCC RM-9242

RECEIVED

JUL 17 1992

FCC

To: Federal Communications Commission

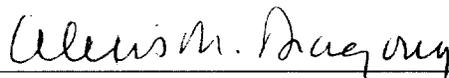
Reply-Comments of Alexis M. Dragny

These comments are submitted to persuade the Federal Communications Commission ("FCC") to permit licensing of low power FM radio stations ("LPFM") of sufficient power levels as requested in RM-9242. As a person working in a Cleveland law firm which regularly handles cases involving First Amendment rights and antitrust issues, I believe strongly in the creation of these stations for the impact they will have in both areas. The creation of the LPFM service will accomplish a great deal toward increasing minority ownership, more than any other plan implemented by the FCC, and is especially relevant in today's market place which consists solely of media conglomerates. Creation of LPFMs cannot reasonably be viewed as "legalizing pirates" as some critics have disingenuously alleged.

With regard to the claims of the potential for band interference as espoused by the National Association of Broadcasters, I respectfully state that 460 full power FM stations (grandfathered short-spaced stations) have operated on second and third adjacent channels for many years, nationwide, with no interference complaints. If these more powerful full-power FM stations do not cause interference using the second and third adjacent channels, then LPFM stations certainly cannot

cause interference either. Likewise, no interference will result in the future use of In-Band-On-Channel (IBOC) digital broadcasting.

I strongly believe LPFM stations would serve important niches in the community, especially as stations not driven by marketing. Though they may not broadcast weather and traffic and other “public service” information, they would be able to broadcast special-interest music and other information which can now only be attempted by “college” radio stations. Dance music broadcasting here in Cleveland, Ohio, for example, is something many of us consider to be a *huge* “public service”. We can obtain weather, disaster and traffic information almost anywhere and everywhere else. We already have far too many commercial stations crowding the band to provide weather and news reports, but they are stations which exist solely because broadcasting monopolies have the money to buy and initiate these stations, not because they are relevant to the community or represent a new voice. Locally owned and operated LPFM stations would truly give a voice and power back to the community, a voice not controlled by the corporate bottom line of an out-of-state corporation.



---

Alexis M. Dragony  
1300 Terminal Tower  
Cleveland, OH 44113  
216-781-1212

CERTIFICATE OF SERVICE

I, Alexis M. Dragony, do hereby certify that a true and correct copy of the foregoing "Reply-Comments on RM-9242" was sent via first class mail, this 14th day of July, 1998 to the following parties:

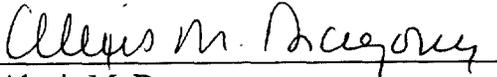
Henry L. Baumann  
Executive Vice President and General Counsel  
National Association of Broadcasters  
1771 N. Street, NY  
Washington, DC 20036

Counsel for State Broadcasters Associations  
Richard R. Zaragoza, Esq.  
David D. Oxenford, Esq.  
Fisher, Wayland, Cooper, Leader & Zaragoza L.L.P.  
2001 Pennsylvania Ave. NW, Suite 400  
Washington, DC 2006-1851

Counsel for USA Digital Radio, L.P.  
Robert A. Mazer, Esq.  
Albert Shuldiner, Esq.  
Vinson & Elkins, L.L.P.  
1455 Pennsylvania Ave., NW  
Washington, DC 20004-1008

Robert A. Mazer, Esq.  
Albert Shuldiner, Esq.  
Vinson & Elkins, L.L.P.  
1455 Pennsylvania Ave., NW  
Washington, DC 20004-1008

RM-9242 Petitioner  
J. Rodger Skinner, Jr., President  
TRA Communications Consultants, Inc.  
6431 NW 65th Terrace  
Pompano Beach, FL 33067-1546

  
Alexis M. Dragony  
1300 Terminal Tower  
Cleveland, OH 44113  
216-781-1212