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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

> 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

No. of Copies rec'd 2
List ABCDE

> 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
> 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 unabridgeable 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/mmb/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 a regulations are a civil rights violation in
> opposition,to my good conduct,and or behaveor,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
> ACCORDANCEWITH THE CONSTITUTION OF OUR DEMOCRACY AND OR
> GOVERNMENT WHICH IS TO SERVE THE PEOPLE IN A UN-BIAS AND
> FAIR AND
> RESPONSIBLE REPRESENTATION,:
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>
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>
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>
>
>
> 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 Officals,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 frequincey 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 Frequincey,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 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 sincerly
> 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.
>
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>
> Mr.D'Alessandro
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>