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Office of the Secretary
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

185 Hill Road
Berkeley, CA 94708
July 9, 1998

Re: RM 9208, 9242, 9246

Dear Sir or Madam,

Please establish one or more categories of low power FM licenses applicable for communities such as Berkeley. Until the recent court injunction we were served by Free Radio Berkeley (FRB) at 104.1 FM. I cannot describe the magnitude of the void in my life that temporary loss of this unique voice has caused to me personally. The urgent need for this station coupled with modern advances in technology prompts the thought that we will experience expansion of clandestine and "hit-and-run" operations. These will further tarnish the image of the FCC and engender a general disrespect for your regulations, which, although not entirely without merit, are perceived as favoring complete commercial domination of the airwaves.

Since 1962 I have recognized the importance of community communications. In that year the local utility opted to build a large nuclear electric generator on the San Andreas Fault about 50 miles upwind in this area. The hazard of nuclear waste was known and was cited in 1958 by a young representative, J. F. Kennedy (D, Mass.), but was not readily appreciated in this epicenter of nuclear knowledge. It was familiar to me, however, since I am a retired professor of biochemistry. Together with three environmentalists a committee was formed to oppose this outrageous scheme. Through a fluke we were able to get some assistance from the *San Francisco Chronicle*, and KPFA gave generous airtime - otherwise our alarm was blacked out The power plant was eventually built at Diablo Canyon in Southern California although it would have been better never constructed, especially since we are now called upon to foot the $28 billion "stranded assets".

The experience just recounted forced me to conclude that the diffusion and dissemination of information is crucial to the proper function of a democratic society. A committee was formed to publish

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a cooperative, reader-owner weekly newspaper. Shares @ $5 were sold and a capital base of $22,000 was accumulated. In my view this was insufficient to sustain publication through the lean years until circulation could be built up to a level adequate to attract advertising. The other members of the board disagreed and began publication of a paper called *The Citizen.* It folded after about a year.

Here in the San Franciso Bay Area were are served by quasi-public TV and radio stations, such as KQED and KPFA. These, too, have been blighted by commercialism. I listened to FRB because they were selling nothing and the programmers were all volunteers. Where else but FRB can I hear regular programs on Animal Rights, Earth First!, and the old Soviet Union? The quality of the news analysis on this micropower station was superb. The program of FRB was strongly appreciated in Berkeley, as evidenced by the cordial reception of representatives of the station before the City Council.

In summary, I urge you to resist the commercial pressures of the National Association of Broadcasters and assorted special interests. The technology has evolved to enable low power transmission and we have here a community that is determined to communicate via this medium.

Sincerely,

J.B. Neilands

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