

EX PARTE OR LATE FILED

From: marni <marni@bpsi.net>  
To: K2DOM.K2PO1(WKENNARD)  
Date: Tue, Feb 8, 2000 1:40 PM  
Subject: LPFM

*RM-9242*

As a long time radio consumer, I urge you to vote YES on the LPFM issue. PLEASE release me from evil corporate satalite stations that have NO idea what we as a local market would like to hear! We want out voice back! Let the revolution continue on low power stations!!!!

Viva le Revolution! (without the stupid little dog!)

MASS MEDIA

TITLE: Creation of a Low Power Radio Service (RM's-9208 and 9242).  
SUMMARY: The Commission will consider a proposal to establish a low power radio broadcast service.

A change is needed to make our media more democratic and the FCC, with the public's help, can do just that. Indeed, FCC Chairman William Kennard even publicly stated that the FCC's agenda for 1999 includes the following points:

- \* Preserve free, over-the-air broadcast services and ensure satellite coverage in underserved areas.
- \* Open low-power radio frequencies for local use.
- \* Promote the participation of people of all backgrounds in broadcasting and other communications media.

Americans for Radio Diversity believes in opening up low-power frequencies for community-oriented broadcasting. Instead of requiring investments of \$100,000 to \$300,000 just to get a license, a complete low-power FM (LPFM) station could be set up for under \$2,000. Clearly this is more democratic as it is within the reach of the average citizen. And since LPFM might only use a 100-watt signal or less (compared to 100,000 watt commercial stations that cover most of a state) there would be MORE room on the dial for even more stations. Properly set-up and maintained, a low-power station can serve a community without interfering with pre-existing commercial stations.

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*RM-9242*

From: <N8dagate@aol.com>  
To: K2DOM.K2PO1(WKENNARD)  
Date: Wed, Jan 20, 1999 10:23 PM  
Subject: radio

legalize micro radio. This is something that all people should be able to use not just big stations whith tones of money. i know this letter probly dosent matter but i though i should write it anyway. i dont see any reason not to. Why must everything be avalible only to the ritch? well i would put some time into this letter if i though it would make a diferance but i figure if you get enough it might sink in.

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**From:** Jim Dean <Jim@wmlb.com>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Fri, Jan 22, 1999 2:33 AM  
**Subject:** Low Power FM

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RM-9242

Dear Sir,

I've read some of your comments regarding your ideas for low power fm, and would like to offer my support for this idea. I've been involved in broadcasting for well over twenty years, starting when I was 14 at a 1kw am in my hometown, so I've seen the tremendous changes that consolidation has wrought on our industry. A close friend of mine works for a large fm, and he's changed bosses so many times in the last two years he doesn't know who will be on his paycheck from one week to the next.

I work at a small (5kw daytime only) am on the outskirts of Atlanta, and we're having a difficult time (to say the least) making it. The problem is the fact that advertisers simply quit listening when they hear am. Even though we've consistently beaten two ABC 100kw hot country blowtorches here, having been selected for three years in a row as having the best country music (Americana actually) in Atlanta, we still can't overcome the daytime only, am only stigma.

About the only thing keeping our owner from selling the land, which is now worth about \$750,000.00 and going dark is her loyalty to the community. I know it would still be difficult to make it as a small fm, but I think it could work, and would give our community an outlet for the funeral announcements, swap shop, party line and church bulletin board programs that are what make local radio something special.

I've seen the proposals to allow small am's such as ours to use fm translator frequencies, and this would also be a help, if we couldn't (or if not us, someone in the community), get a separate station license.

Of course, some day we may actually live long enough to see a digital standard set..... then again

Thank you for your time and consideration, and don't let the big companies ruin this chance. Then it's also possible that satellite radio could force broadcast stations to become more "local" in order to compete...

Jim Dean

Jim Dean,  
Chief Operator,  
Production Director,  
WMLB Radio, AM1170  
Professor Emeritus of Twangcasting

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**From:** Russ <russ@info.starpoint.net>  
**To:** K2DOM.K2PO1(WKENNARD),J3.J3(LPFM)  
**Date:** Fri, Jan 22, 1999 11:04 PM  
**Subject:** Low Power FM

*RM-9242*

As a jock who's worked for big and small radio organizations, I can honestly say the sanctioning of low power FM stations will give a much needed kick in the complacency to the big boys on the national and local level. I work in a town where all four stations are owned by the same company, and I used to work in Fargo, where soon (if the atrocious sale is approved) the Ingstad Brothers (who are no picnic to work for) will own all but one station. Low power FM has no drawbacks, and soon may be the only alternative to Jacor and Chancellor and that lot (other than repealing the Telecom act of '96).

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Thank you for your time.

Russ Berreth

Jane - Not so fast. How do I know that this is a sincere apology and not a cheap ploy to get back on my good side?

Daria - Why does there have to be a difference?

Jane - I accept.

MTV's Daria, Episode #211, "See Jane Run"

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**From:** "Erik Moe" <emo123@presenter.com>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Fri, Jan 22, 1999 5:56 PM  
**Subject:** Low power FM, Public access to public airwaves.

Chairman Kennard,

I have been pleased to read in recent months that developing low-power FM radio is on your agenda for 1999. As a former DJ on a small college station in rural Wisconsin, and as an avid radio listener in Minneapolis, I have seen first-hand the positive impact that these small FM stations can have in uniting communities and promoting awareness of local issues. Radio has the ability to be a unique and powerful force in a democracy - IF communities are allowed access to their own airwaves. The trend in recent years toward nationalized content on 'cookie-cutter' radio stations has troubled me greatly. I urge you to develop a plan that will allow individuals and communities to develop small low-power FM radio stations at a cost that is not prohibitive.

Sincerely,  
Erik Moe  
emo123@presenter.com  
2915 James Ave. S.  
Minneapolis, MN 55408

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**From:** Newt Cavanaugh <web8012@charweb.org>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Mon, Jan 25, 1999 2:51 PM  
**Subject:** LPFM

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*RM-9242*

Mr Commissioner;  
Please act on Agenda Item #8 for opening up low power frequencies for community-oriented broadcasting. Corporate society is diluting our cultural heritage and Low Power Radio Service (RM's-9208 and 9242) are the only proposals that seek to undo the existing greed based system. Public broadcasting has fallen to commercial structures. They endeavor to serve a population but can not represent it in such a way that a host of LPFM stations could.  
Thank you;  
Eric Cavanaugh.

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**From:** "spinetinger" <thud@nations.net>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Sat, Jan 23, 1999 4:28 PM  
**Subject:** Concerning Low Power Local Broadcasting

I would like to express my support for the introduction of a low-power local broadcasting service. As I am sure you are aware, the broadcasting industry is becoming increasingly dominated by large conglomerates who have little or no actual connection to the local audience. I appreciate and applaud your support of this necessary service.

Thank You,  
Kevin G. Crothers  
PO Box 2262  
Mt. Pleasant, SC 29464

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**From:** justyna <swica@stolaf.edu>  
**To:** K2DOM.K2PO1(WKENNARD, SNESS, MPOWELL, GTRISTAN), K2DOM...  
**Date:** Sat, Jan 23, 1999 2:53 PM  
**Subject:** MICRO-POWER!!!

I know that the new chairman, William Kennard, has incentives that would support small stations for here is a quotation from his agenda for 1999, "[to] open low-power radio frequencies for local use". Please know that I am a great supporter of more local access to radio.

Thank you,

Justyna Swica  
General Manager  
KSTO Radio  
1500 St. Olaf Avenue  
St. Olaf College  
Northfield, MN 55057  
(507) 646-3603

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**From:** "Joe Tibiletti" <jtibiletti@hotmail.com>  
**To:** K2DOM.K2PO1(WKENNARD,gtristan,sness),FCCMAIL.SMTPN...  
**Date:** Sat, Jan 23, 1999 8:48 PM  
**Subject:** low power fm docket and 1/28/99 start of consideration of same

On the 28th of January 1999, the Federal Communications Commission is set to take up the matter of low power fm radio operations. I urge you to consider the contents of this communications. In the preceding docket rm-9242, on this matter I submitted a 80 plus page comment which encompassed legal, engineering, programming and other aspects of the concept as advanced by a one Roger Skinner in the above named petition. Proponents set up a web page at "concentric.net/~radiotv" to post comments as received. They, however chose to not put my comments on their site, albeit the fact the matter was in hearing and this was an unfair presentation and deprived proponents and opponents and others interested of the matter that I presented in this document. I asked the commission to rule on the ex parte rule as relative to this case since there was a deliberate attempt to go around the proper process of law...no action. This document that was submitted by me on behalf of my radio station KTXN-fM, Victoria, Texas, and myself individually needs to be read to understand why there is feeling against the low power fm concept. Experience in the actual FCC hearings and process of application preparation for myself goes back over 34 years, when I prepared my own applications --engineering and all for television and radio stations. I am self taught, although Oscar Leon Cuellar of Denver, Colorado steered me into which books to study. Operating the radio station in a then small market as the only fm station, to today as a 100 kilowatt station in a field of 10 locally operated stations has given one a perspective that must be considered, albeit not in agreement. I have shown that the low power concept is being handled wrong from the word go. With accolades against the trade organizations of the industry proponents seek to enter--anti NAB for example. Threats against politicians who are busy with very pressing issues, and now threats on their abovedescrib ed web page against the industry. The matter of a comments blitz is a falacy--like the now disappered Madalene Murray-O'Hare non existant petition to ban religious programs from radio broadcasting which surfaces constantly and takes thousands of hours of comission time to dispose of while innocent persons perpetuate this. The truth of the matter is thjaty the proponent Skinner is about to lose his low power television station permit as a result of digital television and will have no place to go....he is desperate and not rational in his approach. The idea of low power radio is fully explained in my submissions, which I will cite again in the forthcoming docket--why we need to have it I still am unable to understand. This is also in the midst of several other proceedings which are mutually exclusive in some cases: MM 98-93 requiring stations not a full facility to go to full facility for their size, the Lucent Technolog petition for in-band-on-channel radio for am and fm, which is not yet even tested in the field with real stations involved, and above all else the part 74 of the FCC rules which gives contour no man's land overlaps for translators for the co-channel, first, second, and third adjacent channels. These are real and i can demonstrate and intend to do so by offering my station and KVLT in Victoria, Texas, to actually place stations on the air as thew theoretical submission showed and the fact that any station on less than a fourth channel in the same city will cause interference--see my submisson for full particulars. Add to this

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that there has not been any publically demonstrated radio listening demonstration to show that the stations on the spacing of less than 800 kilohertz--4 channels removed in same city can be separated by low cost radios, again see my submission for specifics. The matter of the minorities is a plaintive one ,but not all encompassing. This is taken up in my submission as well.... The problem with minorities in ownership is very complex. The ruyles of the rtoad fort any radio operations pertain to them as well. The business world mores have to be followed. Towit, (1) pay your bills on time, (2) call on accounts that havbe the money to spend,not must kibbitz with minority owners (3) pay your taxes as due,(4) go after general market accounts and not jjust become a crusader for minority oriented music,etc. I have citd in my filing numerous stations that have been minority owned and have bitten the bullet of failure for not following one or more of the four rules cited. The fact that one is a minority is just accidental in the cultural swim of today. Being a woman operator is just as critical to observe these four rules. Low power is also not giving a level playing field as the low power station is not being given an even shot at success. The only thing about low power is that the power bill may be less than the 100 kilowatter, like the one I own which has a power bill of several thousand dollars a month. Low power is followed by smaller coverege area, and thus less listening audience, thus less advertising dollars to be spend on your station. According to Radio Ink and Radio Advertising Bureau figures of share of audience and share of radio dollars received, minority stations formats have a negative consonant--that means that they draw less percentage of advertising dollars than the share of audience they garner... Another point, what happens in a market when minorities own more stations than their share of the population? Should they be favored in ths situation for more stations to be co-located and licensed. What about where a minority insists on programming to his group in a city where there is not any sizeable numbers? In the Victoria,Texas, radio market there have been six (6) Hispanic radio stations to go belly up and fail. My station is presently programmed this format because of a local marketing agreement and a manager who thought Spanish walked on water,and has since departed the scene in a near disaster financially to them. In short there needs to be courses on operating a radio station and taken before one begins his operations and dream turn nightmare. There are several places where such street smart courses are available--in Austin,Texas, the Entrepreneur Association is a good example of this where a doctorate in communications is the instructor. Folks please do not get caught up in the emotionalism of the proponents, lets examine all mm98-93, i-b-o-c, and part 74 translator rules in the field before more time is taken up in small market broadcaster time as this rm-9242 low power docket has turned out to be. Over four continuous months of research and preparation have been spent just trying to be factual... Get real read my comments first, get with me if there is a problem. John J.(Joe) Tibiletti, President, KTXN-FM, (licensee entity Cosmopolitan Enterprises of Victoria,Inc.) 2618 FM 1685,Victoria,Texas, 77905, and telephone 361-645-2487, fax 361-645-4028.

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Get Your Private, Free Email at <http://www.hotmail.com>

CC: FCCMAIL.SMTPNLM("gene@onr.com","twwk@aol.com","jtt...

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*RM-9242*

**From:** Jada Barnes  
**To:** "jdman@magpage.com"@FCCMAIL.SMTPNLM  
**Subject:** Re: ?

>>> "Joseph D'Alessandro" <jdman@magpage.com> 01/24 8:13 AM >>>

Dear Chairman Kennard:

Dear Commissioners:

I Want to say Thank You for putting LPFM on your agenda for the 28TH. meeting.

LPFM Service is very important, to Olga and My Self, to give us the opportunity, to Teach and Play the Real Music of the 1950's sung by Black Teenage Boys and Girls, this music led to the evolution of Rock N Roll, our motive for our station is Non-Profit, just to keep Alive a Music Art Form, and a Music Culture, Which is a part of American Heritage.

I thank you for your Courage, to Support what is Correct, and not to fold under the Pressure of the NAB and our Elected Officials, who's main agenda is Financial Wealth, and Power.

Thank You

Sincerely all of the FCC

Joseph and Olga D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958

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*RM-9242*

**From:** "Mr. Wizard" <n5qje@flash.net>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Sun, Jan 24, 1999 7:14 PM  
**Subject:** Thank You very Much

Chairman Kennard,

I sure hope LPFM becomes a reality, for us at the City of Pearland and its community. Our support and thanks are 100 % behind you and your team efforts.

Thanks,

Harris E. Maulden  
Communications

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**From:** william lewis bryan page <k4gc@mindspring.com>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Sun, Jan 24, 1999 9:33 PM  
**Subject:** Low-power FM service

*RM-9242*

Mr. Kennard:

For almost a year I have been following something that I thought would never take place, the prospect of a low-power FM service in the United States. I am pleasantly suprised that the Commission has included the discussion of a low-power FM service on the January 28 metting aganda. Please let me offer my sincere thanks for your thinking of the airwaves as something that belongs all of the people.

When I read about the National Association of Broadcasters setting up a "Spectrum Integrity Task Force" I had to wonder what they were up to. I do not oppose the NAB per se, but I do think that in many of their activities they are protecting their own financial interests at the expense of what is fair and what is the most efficient use of spectrum. They are also packing their clout with the likes of Senator John McCain, et al.

Communities like the one in which I live are virtually void of a broadcast voice. Around here, ALL of the local FM channels have been gobbled up by "rim shot" stations... stations that apply for a local license and then use it as a pretense to serve a more lucrative market within their range. Our local class A FM offers ABSOLUTELY NO local programming. It and another commonly owned station can be heard loudly only two channels away from each other with exactly the same programming. Is that efficient use of spectrum? Our local FM has its studios in another state. Its transmitter is in another county. It has no office in town. It is not even listed in the local telephone directory. There is absolutely no local presence of our FM station other than its mentioning the name of the town at station I. D. time and the fact that the theoretical signal contour encompasses the town.

I can only guess as to the motive(s) of the NAB with its formation of the Task Force. Will the Task Force try to curtail situations like I described above or will it exist merely to prevent competition? I know that you and, hopefully, all of the commissioners are careful not to jeopardize the FM band. That is good. Please, however, consider more than the technical aspects of the band. Please consider the public service to be rendered by the establishment of a viable and effective low-power FM service. (Not the millions of dollars of public service "free" announcements and advertising that is touted by the NAB.)

Once again, thank you so much for your courage in supporting the LPFM service. My thoughts are with you as you stand against political pressure in order to do what you know is right.

Respectfully,

Bryan Page,  
 Education administrator, former broadcast engineer, K4GC amateur radio operator.

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From: <ekabbott@home.com>  
To: K2DOM.K2PO1(WKENNARD)  
Date: Sat, Jan 23, 1999 10:12 AM  
Subject: Low Power FM (LPFM)

*Rm-9242*

Hello, my name is Everette Keith Abbott. I reside in Richmond, VA. Our radio system here in Richmond, VA is terrible. Why? because there's no competition allowed by the FCC. They play the same old stuff, over and over and over. You know exactly what I'm talking about. Only one other station offers a wide variety of programming and that's college station WDCE which you can hardly hear, but heck...I'd rather hardly hear that station, than all of the other commercially fed trash the rest of them are broadcasting.

Basicallly, I've NEVER written to anyone at the FCC or even my state or federal government, however I feel that LOW POWER FM RADIO needs to be addressed and implemented by the FCC. This country was based around freedom of speech. And if Howard Stern can continue to dominate the airwaves (And yes, I like Howard, and yes he can go overboard sometimes) then we can and should allow LPFM stations to arise. Competition makes EVERYONE better, including the techonological sector. Where would the PC be without competition from the MAC. Where would Windows be without competition from Llinux, Unix, and some of the other OS's out there. I see no difference with LPFM.

Please consider and pass your votes FOR LPFM.

Thank you,  
Keith Abbott

CC: K2DOM.K2PO1(SNESS,MPOWELL,GTRISTAN),K2DOM.K2PO2(HF...

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*RM-9242*

**From:** Steve Fussell <sfussell@ss.LawCypress.com>  
**To:** "William Kennard (FCC)" <wkennard@fcc.gov>  
**Date:** Mon, Jan 25, 1999 12:22 PM  
**Subject:** Local Radio

I would like to express my support for RM-9242 along with any other actions that would relegalize low power radio which would make the "public" radio waves accessible to local citizens.

Giant corporations such as Disney are out of control and do not adequately represent the best interests of my community.

Thank you,  
Steve Fussell  
2400 Harriet Ave #11  
Minneapolis, MN 55405  
612.870.8380

Give Support, Get Support

**CC:** "Martin Sabo" <martin.sabo@mail.house.gov>, "Pa...

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**From:** <nico86@nac.net>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Wed, Jan 20, 1999 9:19 PM  
**Subject:** REGARDING: LPFM

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*Rm-9242*

Mr. Kennard:

I am writing you to inform you that I disagree with the right of FCC governing LPFM, or Low-Powered FM. I was thinking of starting a station but now I have decided not to until the FCC no longer governs LPFM. You may have caught the FM stations and now the LPFM stations, but I strongly disagree.

Thank you for your time,  
Jack Agresta  
nico86@nac.net

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**From:** Max <ScatmanAbe69@hotmail.com>  
**To:** K2DOM.K2PO1(WKENNARD)  
**Date:** Thu, Jan 21, 1999 10:51 PM  
**Subject:** LPFM Broadcasting

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*Rm-9242*

Dear Mr. Kennard,

I think that you SHOULD let LPFM broadcasting have it's own freqs 88.0-92.0 or such. Or let there be a small fee to set up a small radio station. I agree with you that obscene things should be taking off the air and fined or their equipment confiscated.

Sincerely,  
Max Strickler

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