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*To Magalie Salas
For inclusion in
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WEST VIRGINIA BROADCASTERS ASSOCIATION

March 15, 1999

The Honorable Susan Ness
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

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Federal Communications Commission
Office of Secretary

Dear Ms. Commissioner,

On behalf of the West Virginia Broadcasters Association and its membership, I would like to convey our concerns about the Notice of Proposed Rulemaking that the FCC has begun on the issue of low-power FM, also known as microradio.

We look toward the FCC to ensure that our broadcasts and other services are maintained in an as interference-free environment as possible. But with any reduction of protection for second and third channel interference that ultimately make the FM band listenable, the FCC would be going against its own rulemaking policies. These microradios would no longer allow FM stations to be added in most major markets. I can, therefore, see no public policy benefit from these proposals. Nor can I understand how the proposed ownership for these low-power stations, or the Commission's desire to license certain favored groups, can be compliant with the Telecommunications Act of 1996 or the Balanced Budget Act of 1997.

Moreover, I do not believe that this notice takes into consideration the forthcoming move our local stations will be making into digital audio broadcasting. Digital broadcasting is a service that promises to greatly improve clarity and service to the public by adding a digital signal on top of the analog signal these stations are already broadcasting within the same band and channel. Yet the addition of low-power stations has the potential

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March 15, 1999
Page Two

to seriously impair the ability of the digital signals to reach listeners unimpeded by interference.

My view is that this rulemaking is leaping far ahead of the science and research that is necessary to demonstrate if these microradios would be feasible and a part of good public policy. While I can understand the interest of many in becoming broadcasters, I would hope that the Commission would still explore the complete use of AM before going to low power FM.

Listeners in West Virginia depend upon their local broadcaster to provide them important local news, weather and emergency bulletins, public affairs, and other programming. The adoption of this proposal would place our listeners in the hands of new, untested and technically infeasible radio servers for reasons that seem driven less by good public policy and more by an interest in placating pirate radio operators. I urge you and your fellow commissioners to reevaluate your position on the proposed low-power FM policies. The technical issues must be resolved and rules for digital audio broadcasting must be adopted before we as an Association would feel comfortable with this issue.

I appreciate your time and consideration. Please feel free to call me at (304) 744-2143 with any questions or concerns you may have. I thank you in advance for any assistance you can provide with this issue.

Sincerely,



Michele C. Crist
Executive Director

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