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99-25

April 2, 1999

Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington D.C. 20554

Dear Sir or Madam,

Please find enclosed, comment of the above stated NPRM. I have included 11 copies plus the original draft. I would request that each commissioner be provided a copy of my comment.

Thank you for your assistance in this matter.

Sincerely,

Steven L. Evans
Ashley Communications Inc.
D.B.A. KVEL/KLCY

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the matter of	MM Docket No. 99-25
Creation of a Low Power Radio Service	RM-9208 RM-9242

Comments of
STEVEN L. EVANS
ASHLEY COMMUNICATIONS INC.

I am the owner operator of a small market AM and FM station in rural Utah. I am opposed to the creation of low power FM service for several reasons, not the least of which is the negative impact it will have on rural communities. Under this proposal, rural Utah broadcasters may lose local influence on the markets they serve. Localization, minority advancement, public service and access by political leaders will be compromised. Currently, one of the biggest challenges for small market broadcasters is to increase localized services. Rural broadcasters are doing a good job providing local services like news, weather, and public service information. Undercapitalized operators of new LPFM stations will be motivated to look for the least expensive ways to operate these stations. National networks will be heavily utilized at the expense of rural localization. Increased financial pressures on existing small market broadcasters will result in cost cutting measures being taken. In my opinion, localization would be eliminated in most rural markets.

Consolidation, deregulation and new technology have enhanced small market broadcasters

ability to provide better localized service. It has been proven that if programming diversity is the goal, consolidation and government deregulation should be the answer. The FCC should explore new ways to strengthen the industry, thereby increasing diversity and creating healthy new opportunities for minority advancement and community service. A financially burdened licensee would have a more difficult time expanding operations, taking risks with new formats and introducing new local viewpoints. This action could very well be the death of professional commercial broadcasting in many rural communities. The Commission is proposing to place amateur stations in the middle of mature service; and in the process create a new bureaucratic nightmare that will demand additional government funding to manage and regulate. Further, if these new facilities would not be required to operate under the EAS program, local, state and national officials would not have immediate access to the public in case of emergency. The flood of LPFM stations could prohibit the broadcast of critical life saving information.

The Salt Lake City metro market has one of the most congestive FM spectrums in the nation. LPFM will cause interference to existing stations. In order to establish a low power service in this market, the FCC would have to drastically alter its existing interference protection standards. Elimination and/or alteration of these standards will result in increased interference to existing broadcaster's signals and loss of service to listeners.

In the 1980's the Commission began a proceeding that ultimately allowed thousands of new FM stations on the air. The result of the infamous "Docket 80-90" was that there were too many stations in the marketplace. Programing diversity and community service was compromised.

The Commission subsequently loosened radio ownership restrictions in order to bolster the industry. Docket 80-90 was the direct cause of consolidation. Today, during the post consolidation era, programming diversity in Utah has never been greater and the Utah broadcasters commitment to public service has never been higher. Last year alone Utah broadcasters donated over 25 million dollars to local and regional charities and civic organizations. The Commission should not travel down this road again. Low power FM is a bad idea. It's bad for rural Utah communities now benefitting from responsible, professional, local programing, and it's bad for the Salt Lake City metro radio listeners who will experience new interference on an already congested FM band.