

Dear Mr. Chairman Kennard and commission members,

Thank you and congratulations on your vote for the return of LPFM from one of the original licensed owner/operator of a Class D station in Long Island, New York in the early 70's.

I live in the Atlanta Georgia area now but returned to Long Island last June to help with the packing up and closing of my late Grandfather's house there. While I was there people heard I was in town and still many came to me to say how they remembered the wonderful radio station I had and that was over 20 years ago!

It was a "Non-profit" station but we had blocks of commercial time where local businesses "sponsored" the last hour. We played a music format that had never been heard on the radio until we did it. We played dance club style songs mixed just like what was played in the clubs at night on the weekends but you can hear the "fun" during the day even while at work. We had the local news of the town and it was really LOCAL. People really loved that and felt a stronger sense of community because of it. People were just as proud of our little local station as I was and those that helped me keep it on the air. We had local T-shirt contests and bumper stickers and almost every car around had them on.

I'll never forget those wonderful times and apparently neither will those that still live up there and remember as well and long for the return of the good old local times both on and off the air waves.

I'll also never forget the day the letter from the FCC came and said I must either up my wattage to 10,000 Watts or better to stay at my present channel designation or 2,000 watts and drop to a 92.1 or lower position with a new Engineering survey. We weren't a large corporation, I knew that ABC, NBC and CBS which just switched from AM to FM had come to take over the FM band and strictly to make money. To this day all we have now is the same 6 songs and the same 60 commercials and nothing of local interest.

It is my hope that it may be possible to return to the air. That maybe some of the morals and values that this country has lost, that this medium can help restore what was lost and so desperately needed to return.

I support the following recommendations below, which are extremely similar to the way the radio spectrum was minus the glut of commercialism back when I held a license.

Respectfully submitted,

David McOwen
999 Glasgow Dr
Lilburn, GA 30047
dmcowen674@aol.com

1. LPFM must allow for "commercial" (commercially supported) as well as "non-commercial" stations.

I am very concerned about the possibility of the FCC creating a non-commercial only service. This would be a travesty and a great blow to the public interest, if this were to happen. Radio stations have used commercials to support themselves for over 75 years and there is no reason at all to preclude LPFM stations from supporting themselves with commercials. In addition to being a

fine mechanism for a LPFM station to receive financial support, it also provides a great benefit to the small local mom and pop businesses who heretofore could not afford to use radio advertising. This benefit alone is enough reason to permit commercial operation for LPFM,

I have been told that this push for non-commercial use only is coming mainly from some activist groups and other non-profit groups. We must be able to sell commercials to support our LPFM stations. It's a matter of their economic survival.

Some folks, with whom I have spoken, don't understand the term "non-commercial" as used by the FCC and confuse it with "non-profit" as used by the Internal Revenue Service. For instance, you can operate as a "non-profit" IRS Section 503-C entity and still sell commercials for financial support. A "non-profit" entity simply must not show a profit and must put all earnings back into the business. "Non-commercial" stations, on the other hand, are precluded from selling commercials to support themselves and exist on grants and underwritings from corporations and others. I believe some want to operate as "non-profit" entities but mistakenly tell the FCC they want to be "non-commercial".

I do not support non-commercial to the detriment of commercial operation however. The non-commercial educational section of the present FM band (88-92 MHz) should be for non-commercial LPFM stations also. Commercial LPFM stations should operate in the commercial part of the FM band (92-108 MHz), as full-power FM stations do now. While I support the use of LPFM by churches, schools, non-profit community groups and the like.

2. Both the 2nd and 3rd adjacent channel restrictions must be dropped for LPFM stations. Improvements in receiver design since the rules were written decades ago will allow these restrictions to be dropped without causing interference to existing stations or planned digital I.B.O.C. signals. FACT: Hundreds of full-power (grandfathered short-spaced) FM stations have been operating on 2nd and 3rd adjacent channels for several years with no interference complaints. If these stations do not cause interference neither will lower power LPFM stations. 60 meters (197 feet) sounds a little low for LP-1000 class LPFM. I believe that LPFM should have at least the same maximum height limit as Class-A FMs and that is 100 meters (328 feet).

It makes no sense to limit LPFM to such an arbitrary maximum height of 60 meters. By going from 60 meters to 100 meters HAAT antenna height, the LP-1000 1 mV/m signal would reach 11.76 miles instead of the 8.8 miles at 60 meters. Since Low Power TV generally covers about 12 miles with its Grade-A and 23 miles with its Grade-B, I don't see why LPFM can't have similar coverage? An LP-1000 with a maximum ERP of 1000 watts and maximum antenna height of 100 meters makes the most sense.

3. Preferably the FCC will use a "prohibited contour overlap" method of predicting interference, as is now easily done in the Low Power television service with the appropriate computer program. The LPTV service uses a computer program "LP-ONE" to show if a proposed station would cause interference. It would be a one time cost to have a similar program written for LPFM processing. This would allow for many more LPFM stations to be created nationwide and would make the use of standard "directional patterns" feasible. Allowing directional antennas, as is done in the LPTV service, again allows many more stations to be created by putting the signal where needed while limiting the signal in the direction of stations that need to be protected. The directional antenna patterns would be included in the FCC "directional antenna database" and thus using their patterns would be a simple matter. This method is by far the most efficient use of the spectrum and with a simple computer program could be accomplished using minimum Commission resources. The benefits of making many

more stations available easily outweigh any arguments against this approach, especially when computer processing is available at the FCC. If mileage tables are used then mileage separation tables must be provided for other powers in addition to the 1,000 watt and 100 watt stations. For example, have a table for each 100 watts down from 1,000 (900,800,700 ect.) so that if a channel won't hold 1,000 watts, it may be able to hold 700 watts or 600 watts, etc.

4. The 60 meter (197 feet) limitation on Class LP-1000 stations in the FCC NPRM should be increased to 100 meters (328 feet), which is the same as for Class-A full-power FM stations. This would provide for an additional 2-3/4 miles of coverage without requiring any additional power. Distance to 60 dBu contour would increase from 8.8 miles to 11.76 miles, which could help LPFM stations reach significantly more people and thus enhance their ability to survive. While I can understand keeping LP-100 antenna heights under 200 feet so as to not require FAA clearance, there is no reason to limit "primary status"

LP-1000 stations to such an arbitrary height, since they will have to abide by the majority of FCC rules that apply to full-power stations. LP-1000 stations must have a 100 meter limit, not 60 meters as proposed. This is very important!

5. LPFM must not be subjected to a narrower bandwidth than full-power FM stations since audio quality could suffer. We do support dropping sub-carriers other than stereo however to prevent interference.

6. Some form of ownership restrictions must be in place to keep this service for "local owners" so as to not be snapped up by the large corporate broadcasters. The "50-mile rule", proposed in RM-9242, that requires an owner to live within 50-miles of his/her proposed antenna site would work nicely and would be easy to enforce by requiring applicants to list the coordinates (latitude & longitude) of their residence as well as their antenna site on the LPFM application along with a certification that they meet this requirement.

7. The FCC should try some form of "first-come first-served" application process with five-day filing windows. If this system proves unworkable, then and only then should the FCC consider using auctions to select between mutually exclusive (MX) applicants. If auctions are considered, there must be some form of substantial "bidding credits" available to small business applicants that would allow them to compete with applicants with large financial resources at their disposal. This is imperative since we are trying to lower the barrier to entry for new applicants of lesser financial status.

We also need to push for the local ownership restrictions. This would require the applicant, or all stockholders if the applicant is a corporation, to live within 50-miles of the proposed LPFM antenna site. This would assure local ownership, which is one of our primary goals for LPFM., otherwise we risk the possibility of large outside corporations stealing all the LPFM channel and still having the lack of public service we have now for the sake of profit alone.

8. AM station owners with night-time power of less than 250 watts should be allowed to apply for LPFM but should certify that they will divest of the AM station within 180 days if awarded the LPFM license. Otherwise, those who own any part of a full-power (full-service) broadcast station should be barred from applying for a LPFM license or buying such a station once constructed by another party.

9. Class LP-1000 stations should include stations from 1,000 watts down to 200 watts, with multiple mileage separation tables provided as mentioned above. These stations should be "primary status" and protected to their 1 mV/m (60 dBu) contour.