



City of  
**Santa Monica™**

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**JUL 12 1999**

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In the Matter of:

(FCC proposes licensed low power FM radio: seeks comment on engineering, service rules for new system)

DOCKET: MM 99-25

TO: THE COMMISSION

REPLY COMMENTS OF:

City of Santa Monica  
1685 Main Street  
Santa Monica, CA 90401

The City of Santa Monica files these comments on May 24, 1999, in the FCC's docket number MM 99-25.

The City of Santa Monica applauds the licensing of low power radio stations as a means of fostering universal access to programs and services in local communities.

A local radio station would expand City programming outlets for local emergency information, City Council, and Board and Commission meetings and convey information about local cultural, and educational events and meetings, traffic and weather. Although limited coverage is available now to the City through KCRW-FM, the station broadcasts only a portion of City Council meetings and no local programming or coverage. We learned during the 1994 earthquake the difficulties of reaching people within our 8.3 mile area with essential Santa Monica - specific information because we are embedded in the Los Angeles media mega market. The normal emergency broadcast system did not differentiate Santa Monica conditions. The devastation here was substantial and emergency operations were tailored to meet unique community rescue and restoration needs. A local radio station would have provided an essential and dedicated communication outlet and offers this potential if the FCC permits use of the spectrum for local government purposes.

Focus groups conducted as part of the City's Telecommunications Master Plan process identified broadcast radio's important role in bringing community information to populations

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who cannot afford cable service. For all these reasons, a local station would result in a better informed and connected populace during emergencies and everyday life.

Advances in technology have made it relatively inexpensive to broadcast low power signals. Current Federal regulations now ban such broadcasting without a license and few licenses are available. Under current FCC rules, the smallest commercial FM radio licensees will be authorized only if they can operate at a power of 6,000 watts. Low power radio operating on 1 to 100 watts creates opportunities for communities that cannot afford the facilities and equipment necessary for full-power stations. Specifically, we recommend that government entities, be awarded licenses based on applications as a means to distribute limited spectrum availability in congested areas such as the Los Angeles region. This would entail an exception from auction requirements for local government that would otherwise dictate commercial and non-commercial uses.

Given limited spectrum availability, we urge that the Commission adopt a priority order in which licenses are granted. First priority would be local government, followed by non-profit and only then would the Commission consider applications from individuals or commercial entities.

Because it is unclear how many new stations will result from any changes in FCC regulations, we recommend that AM spectrum availability also be evaluated. We note in reviewing the supplemental engineering studies associated with the procedure, that there is very limited and possibly no available FM spectrum in communities that fall within the major broadcast markets. While the Commission has limited the rule making procedure to the FM broadcast band, the City of Santa Monica requests that this process be expanded, for municipal government applicants only, to include the AM broadcast band in areas where no FM channels are available.

The Commission has had a policy of licensing local and state governments entities with low power AM broadcast stations for the purpose of dissemination of traffic information. The Traveler's Information Service (TIS) has a long standing history of providing pertinent information to the traveling public. Many hundreds of TIS stations operate in the AM band (530-1700 kHz). Under existing Commission Rules, the TIS stations operate on a secondary basis with respect to commercial broadcast stations. The TIS stations are limited to a maximum power of 10 watts. A typical TIS station serves a circular area having a radius of from 2 to 3 miles. For many small communities desiring to operate a broadcast service, a single station might provide adequate coverage. For larger communities, citywide coverage requirements might be met by installing several synchronized transmitters at strategic locations in the city. Clearly, we prefer the FM options presented in the Notice of Proposed Rulemaking, however, the shortage of spectrum in the FM band leads us to propose this alternative. We suggest that if FM stations are not available that a new class of AM community stations be authorized modeled after the TIS service in

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Section 90.242 of the current rules. The major difference for the new community stations would be their ability to carry a wider range of local community programming than currently permitted under the TIS service.

Santa Monica is implementing a citywide fiber optic network to support our municipal communications needs. We propose to use the backbone fiber network to interconnect a citywide radio system. We believe that this proposal is consistent with the Commission's desire to enhance the use of available spectrum while not creating any new interference in either the crowded FM or AM band. Further, station licenses should be available to local and state government entities as a first priority. This will limit the number of potential applicants and therefore address any possible interference concerns.

The FCC is on the threshold of an historic change aimed at opening broadcast frequencies to encourage broader participation of unheard communities while protecting the integrity of the spectrum. The City of Santa Monica encourages and urges final action on this innovative Rule Making Procedure to permit local low power radio licensing by the FCC. This will allow cities to make the process of government more accessible to residents and foster a sense of interconnection in neighborhoods and the community as a whole.

Submitted by:



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May 25, 1999

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