

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

To: The Commission

COMMENTS OF THE MT. PLEASANT BROADCASTING CLUB

The Mt. Pleasant Broadcasting Club (MBC) is writing to comment on the Commission's Notice of Proposed Rulemaking on low power radio and to endorse the creation of a low power service on the FM band. MBC is an organization of radio enthusiasts and community activists from the Mt. Pleasant, Adams Morgan and Columbia Heights neighborhoods of Washington, D.C. When the low power service contemplated by the Notice is established, we hope to secure a license to broadcast about matters of interest to the residents of these neighborhoods.

MBC members are now addressing questions of programming, technical requirements and financing. Recently we organized a well attended and financially successful fundraising concert featuring local bands whose music is not heard on any D.C. radio station. We want to play that music, air programs aimed at our area's diverse immigrant groups, focus on issues of local concern (such as the type of development that will accompany the opening of Metro's Green Line in Columbia Heights) and generally to enhance the sense of community that already exists in our neighborhoods.

None of the radio stations operating in Washington -- commercial or public -- is doing what MBC envisions. The financial realities associated with mega-wattage require ever larger listening audiences, while our intended audience is deliberately small. Still, MBC and other low power stations would attract some listeners, and evidently this is what both the National Association of Broadcasters and National Public Radio fear. The objections posed by such media giants are frequently articulated as a concern about interference, but this is a red herring given recent advances in technology. The real concern is with profits. The FCC, however, should not be in the business of stifling competition in order to preserve the profit margins of large commercial broadcasters (or the donor base of NPR). As Chairman Kennard said on WAMU's *Metro Connection* on April 3, 1999 --

we should not have a government agency telling the marketplace how many stations are too many stations. We should always be on the side of more voices, more diversity, more outlets for expression. That's what low power radio is all about.

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It's true we do have a number of radio stations in major markets, and that's a great thing. But if we can have more without causing harmful interference and give a voice to the voiceless people who can't buy a multi-million dollar radio license, we should do that too.

MBC applauds Chairman Kennard's eloquence and the Commission's courage in supporting the public interest in low power radio. Against that background, we offer the following comments on the Notice of Proposed Rulemaking.

MAXIMIZE DIVERSITY/MINIMIZE BUREAUCRACY

MBC approaches low power radio from the perspective that the new service should foster the widest possible array of broadcasting in a simplified administrative setting. Our interest in diversity is self evident. But simplicity is also important, both for small broadcasters naive about the Code of Federal Regulations and for the Commission itself as it administers the service.

To maximize diversity and "give a voice to the voiceless people who can't buy a multi-million dollar radio license," three elements are crucial. The new service should be (1) capped at 100 watts, (2) limited to one license per broadcaster, and (3) non-commercial.

100 watts. The Commission appears to be considering both a 100-watt and a 1000-watt service. Only the former should be established. Especially in urban areas, a single 1000 watt station could effectively preclude the operation of as many as five or six at 100 watts. A truly low power service -- one that licenses stations operating at 10-100 watts -- will be likelier to facilitate the ideal of "more voices, more diversity, more outlets for expression."

If the service is limited to 100 watts, the new stations should not have to provide second or third adjacent channel protection to other stations. Eliminating this requirement will permit many more stations to operate without compromising the quality of reception. In addition, the 100-watt service should be "primary" in character. Diversity will prove chimerical if the new stations exist at the sufferance of larger broadcasters and can be bumped off the air by them. And that could happen if the low power service is deemed "secondary."

One broadcaster, one license. No one should be allowed to own and operate more than one low power station, either locally or nationally. Similarly, high power license holders should not be permitted to hold low power licenses.

Adopting this approach will maximize the presentation of diverse viewpoints. In addition, community orientation is more likely to result if the holder of a low power license has only one community to serve -- not three or six or ten. Other criteria aimed at promoting a community perspective, such as requiring local residency, would be difficult to enforce and would not be as necessary if a license holder could only operate in one area.

Non-commercialism. Lowpower stations should be non-commercial, and they should be allowed to operate on available frequencies anywhere on the FM band (not just at the lower end). MBC itself is non-profit, and we believe that non-commercial stations are more likely to broadcast differing community perspectives than stations constrained by the imperatives of the commercial marketplace.

In general, for reasons of speed and ease of administration, we favor a lottery approach to license issuance, although we believe that competing applicants should first be given a short period of time to try to work out an accommodation (e.g., time sharing). The lottery would be conducted by the Commission and should be open to any applicant who submits a plan of operation addressing such issues as programming, technical matters and financing. But the competing plans should not be weighed in any way; any point system invites litigation and delay. Instead, the lotteries should be conducted quickly and licenses awarded promptly.

Finally, broadcasters who have operated unlicensed low power stations should be eligible to apply for licenses. Many of these people are true pioneers, and it is unlikely that the Commission would have focused on the low power phenomenon without their efforts. These broadcasters have both the knowledge and the interest to help the new service achieve its maximum potential, and they should be allowed to do so.

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In conclusion, keep it simple. Set up a non-commercial 100-watt service with one license per broadcaster. Then quickly issue licenses, so the new stations can get on the air soon.

It is not possible to anticipate every contingency, but this is not a reason to delay. Establish the new service, monitor it for a year to see if there are serious issues that merit attention and, if so, address them. But get started now.

Again, MBC appreciates the Commission's initiative in proposing the creation of a low power radio service. If there are any questions about these comments, please let us know.

Respectfully submitted,

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On Behalf of the Mt. Pleasant Broadcasting Club

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