

Hanson Communications, Inc. DOCKET FILE COPY ORIGINAL

RECEIVED LEE C. HANSON CHAIRMAN & GENERAL MANAGER

JUL 26 1999

July 21, 1999

FCC MAIL ROOM

Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Comments on MM Docket No. 99-25

Dear Ms. Salas:

Herewith is our filing of an original and four (4) copies of our "Comments" with respect to MM Docket 99-25 regarding the Commission's proposal to establish a Low Power FM radio service .

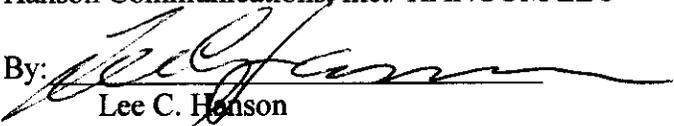
We have added five (5) more copies to enable each commissioner to receive his/her own copy.

Should any questions arise in respect to this matter, please contact the undersigned.

Respectfully submitted,

Hanson Communications, Inc./ HANCOM LLC

By:

  
Lee C. Hanson

Enclosure

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DOCKET FILE COPY ORIGINAL

JUL 24 1999

FEDERAL COMMUNICATIONS COMMISSION

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

In the Matter of )

Creation of a Low Power Radio Service )

MM Docket No. 99-25

) RM-9208

) RM-9242

**Comments of**

Hanson Communications, Inc. (WPHM-AM/WBTI-FM)

HANCOM LLC (WHYT-AM)

**Hanson Communications, Inc and it's related associate HANCOM LLC hereby submit their "Comments" against the above referenced "Proposed Rulemaking".**

As an introduction, the undersigned has received extensive experience in the broadcast industry since 1949. He has been on the staffs of nine FM, nine AM and 3 television stations. He has managed radio and/or television stations in New York, Chicago, Detroit, Memphis and Cincinnati and has owned and operated one, two then three radio properties in the Port Huron, Michigan area since 1986. He has also been the Broadcast Media Supervisor of the 20th ranked advertising agency in the world at it's Detroit office and spent time in Washington D.C. as Vice President of the Association of Maximum Service Telecasters working with both the FCC and the United States Congress.

During the course of his career he has been on the board and/or officer of the state broadcaster's associations of New York, Illinois, Michigan, Tennessee and Ohio and has been a

past president and/or member of the board of numerous civic and community organizations where he has been located.

**The basic issue of Docket 99-25 is a crucial one to the broadcast industry and covers related issues vital to the future of “hometown” radio as we know it today.**

The following seven points have been determined to be major problems that will occur should a “low-power” radio service be adapted as proposed.

**Adding the proposed “Low-Power” radio stations would:**

- **Potentially cause interference to existing frequencies. (Already being proven.)**
- **Harm the development of In-Band, On-Channel digital radio.**
- **Be an inefficient use of spectrum space.**
- **Possibly cause additional station consolidation ala the 80-90 docket of drop-ins.**
- **Be no guarantee that female and minority owners will want or receive a license.**
- **Become an administrative nightmare for the FCC.**
- **Ultimately be unable to properly serve those for which it is intended.**

If any one of the above should occur it would cause major problems for the radio public currently being served.

Adoption of this “Low-Power” radio plan could herald the potential changing of the extremely valuable basic radio service currently provided in some form to each and every community, large or small, in the United States. Anything that upsets the delicate operating balance of the bottom line that most of us small market broadcasters have to accomplish to meet our financial obligations could bring to an end all the great services we now provide. Plus, in our case, we are providing about 25 people with jobs.

**Why is there so much interest by certain factions in having their own radio station?**

Some are musicians who want to make sure their own recordings are played on the radio. Some are special interest groups who want to promote the causes in which they believe. Some, like church groups, want to promote their services or their religion or events held by their church. In each case the reason seems to be self-interest to serve one or maybe a handful of people, rather than having a true interest in serving the general public. There could even be a lack of willingness to spend valuable air time on things the majority of the community might be interested in.

In return for the opportunity of being licensed to operate a radio station located in a given area and to serve the public interest, convenience and necessity, the applying entity has to fulfill certain criteria to properly qualify for ownership. These don't need to be enumerated here but we wonder how many of those who would like to receive a low-power radio station can pass the requirements which are currently part of determining capability of being a radio owner? Have any of them said "I want my own radio service so I can make my community stronger" ? Shouldn't this area of service apply to any level of "Low-Power radio; 1-10, 100 or 1000 watts?"

**Will the "Low-Power" radio stations be supportive of their communities as a business or are they only to be a "toy" for their owners enjoyment?**

Here a few examples of the radio service our radio stations provide:

- An annual, one day program which last year raised \$215,000 for our area's March of Dimes via the Jail and Bail program. It's now a national program which was started by our own WPHM (then known as WTTH) right here in Port Huron over 40 years ago. This past year the effort "gained nationwide recognition as the largest, single-day Jail & Bail

it was reported in the press Mr. Good sight said “sometimes you have to break the law to get your message across.”

All radio stations are licensed by the FCC and have many laws to follow. Apparently someone like Mr. Good sight wouldn't hesitate to break one or more of those laws to get his point across. What about the regulations dealing with “Personal Attacks”, “Obscenity”, “Indecent Language” or “Lotteries”?

What happens if one of those laws he or any of other LPFM operators is willing to break has to do with the amount of power at which they are allowed to operate or possibly allow his equipment to wander to a frequency other than the one to which he has been assigned? The result could be immediate interference which could damage reception of news bulletins, emergency weather reports or other highly important, timely, current radio service. And how long might it take for the FCC to do something about it? Three years? Or how large will the FCC staff have to become to help police a 10% to 15% growth of the number of radio stations that need monitoring?

**Will the “Low-Power” radio operator be more liable to break FCC laws than current operators? What will happen when they do and cause interference to a current, legally operating station? Will the “Low-Powers” be willing to become responsible enough to follow all the rules on pages 5, 6, 7 and 8 of “The Public and Broadcasting” FCC memorandum?**

What kind of Public File would they keep up? And what about the Political File or the Ownership Reports? Or the FCC Filing Fees. These are only four of the concerns current broadcasters have; and properly so. “Low-Power” radio stations should also be held accountable.

fundraiser event in the United States". (See attached exhibit "A".) WPHM happens to be an AM station but this kind of programming service could just as easily be provided by our own WBTI-FM, and is currently by other fm's in the country which would be directly and negatively affected by LPFM.

- Helping the United Way raise over one million dollars each year to provide funding to the numerous social services with whom they work.
- Development, along with our local paper, of a very successful "Kids Voting" program to get more children interested in getting their parents to the polls to vote.
- A rather unusual service of ours includes the news staff of our combined radio stations providing local news to the listeners of each of our three radio stations as well as the television news coverage for the local edition of CNN's Headline Edition.

The Quarterly List of Issues and Responsive Programming for the second quarter of 1999 for just one of our stations reports a few of the problems our community faced during just that time period:

1. School Bomb Threat/Mass Murder Plot
2. Allegations of sexual assault charged against our mayor.
3. Charges of impropriety against a local bank and utility officials.
4. War in Kosovo and local military personnel involvement
5. Crime
6. Health Issues
7. Controversy over City Council vacancy appointments.

The full report then goes into detail about how we responded to each of those problems

with details of many interviews and news stories by local community leaders.

**Will the “Low-Power” radio stations be able and prepared to serve their community this way? Just because they are low-power doesn’t dictate that they automatically are providing a service to their community. It is more self-interest than public interest. Page 2 under the “Regulation” section of the FCC’s memorandum “The Public and Broadcasting” says if someone is granted a license for a radio station they must serve the public interest. So should the low-powers if they are allowed to go on the air.**

To sustain an audience of any kind, no matter how loyal the listener(s) may be, you need to have long periods of continuous programming elements (read “no dead air”). Therefore, low-power or not, they should have to provide a complete service. Otherwise, they won’t be serving the community nor the general public, which is one of the basic charges of radio. Anything less waters down the reason for having a radio service for the general public.

**“Low-Power” radio stations should not be able to be “part time” broadcasters with short segments of off and on programming at times they so choose.**

They will carry an extremely narrow, highly specialized type of programming to entice a specific audience. Probably one that thinks the same way they do. This type of programming has already been tried by the so-called “pirate” stations who use their illegally operating, “stolen” air time to further their own causes; music they have published but not licensed to air on a frequency that is not licensed to them and say things that may border on shouting “fire in a theater” which is not regarded as free speech.

Ron Goodsight from Howell, Michigan operated a pirate station for three years before finally having his equipment confiscated by the FCC (What took so long?) After being shut down

The undersigned remembers the old "Citizens Band" radio transmitters. Albeit they had their own separate spectrum but it got to be so bad the FCC finally gave up trying to monitor them or even keep them under control. It got so they were allowed to operate without a license. You might say they were a form of "low-power radio" only on a different radio spectrum.

Does the FCC believe all these people who are interested in becoming "Low-Power" radio owners/operators are willing to accept the responsibility that comes with owning a radio station license?

Many current radio broadcaster-owners including minority owners and operators are doing an extremely good job of properly operating their station(s). I've read letters from many of them reporting that an LPFM service would be more of a disservice to their community.

During this writer's 50 years of broadcast experience he is proud to say he managed a minority programmed radio property in Memphis, Tennessee; WDIA. Memphis was then 65% minority. It is an AM station but its reputation for well-serving its community prior to his arrival and until he left in 1972, is legendary. This could just as easily be an FM station. And, if so, facing numerous squeezed in LPFMs could have its service to the Memphis community destroyed.

We understand there are some 700 regular radio stations within the United States available for purchase today. Why aren't these people who are so anxious to own a radio station, talking about getting one of these instead of demanding the entire commercial radio band be changed?

Another option for the LPFM seekers would be the alternate programming stations; those which are subsidized by the taxpayers and known as public broadcasting. This might just be

another way to achieve a location for exposing the programming elements the LPFM seekers desire to have aired.

A third option for the LPFM seekers to get their personal messages to the general public might be to “main stream” their audio programming on the Internet as many regular radio stations are now doing. This way they could go on and off as they please. They don’t need a piece of the broadcast spectrum to accomplish what they say their goals are. It also would cost them a lot less money.

**Yes, there are options open to those truly interested in being broadcasters. And also for those that have short term, self-interests.**

We who currently hold the license for operating regular radio facilities which enable the general public to get all of the above elements of today’s radio service, have worked long hours, become educated in the business, made sacrifices both economical and personal and are genuinely proud to be part of this great service industry. We have provided employment for hundreds of thousands of people and hope, some day to be able to provide an opportunity for others who are interested enough to take over the reins. But now we’re concerned that, through LPFM, this will all be changed and be replaced by self-serving toys .

The broadcast rules that changed with the 80-90 docket and the rescinding of the rule to hold onto a property for three years before selling have led to the things the present commission is trying to fix by opening up more, less regulated facilities rather than changing bad laws.

**In summary, we strongly submit LPFM would greatly weaken our countries existing radio service in the aforementioned ways and be counterproductive to serving the interest of the general public. Thus, Hanson Communications, Inc. and it’s related**

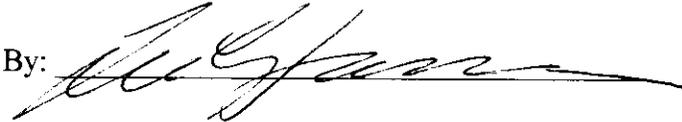
**associate HANCOM LLC are strongly against the proposal to allow Low-Power Radio Service to take place.**

Respectfully submitted,

Hanson Communications, Inc. and

HANCOM LLC

By:

A handwritten signature in black ink, appearing to read "Lee C. Hanson", written over a horizontal line.

Lee C. Hanson

Chairman of the Board/Hanson Communications, Inc.

Managing Member/HANCOM LLC

2379 Military Street

Port Huron, Michigan 48060

(810) 987-4100

July 20, 1999



March  
of Dimes  
*Saving babies, together*

EXHIBIT "A"

*Southeast Michigan Chapter*  
Thumb Division  
511 Fort Street, Room 250  
Port Huron, MI 48060  
Telephone: (810) 982-0177  
Fax: (810) 982-5932

July 20, 1999

Gerald W. Keller  
*Division Director*

To Whom It May Concern:

On behalf of the Thumb Division - March of Dimes Birth Defects Foundation, I am writing in support of Hanson Communications, Inc. and their extensive and long-time partnership with the Thumb Division - March of Dimes.

I am sure you are aware of the value and importance of the March of Dimes mission of preventing birth defects and infant mortality. With this in mind, I would like to share some insights regarding Hanson Communication's involvement with our organization.

Hanson Communications has provided a live, nine-hour broadcast from our **JAIL & BAIL** fund raising site since the inception of the event in 1957 (1999 marked the event's 42nd anniversary). Last year, under the direction of President and Owner, Mr. Lee Hanson, they provided approximately \$ 27,000 in-kind sponsorship for the event. This includes a great deal of pre-event promotion, as well as all day long on event day. This event has gained nationwide recognition as the March of Dimes largest single-day **JAIL & BAIL** fund raising event in the country! Therefore, the cooperation and support we receive from the station is an integral part of achieving and maintaining this success.

In addition to this immeasurable support to our largest and most successful fund raiser, the station provides, free of charge, many public service announcements throughout the year for many other fund raisers such as **WALKAMERICA**, **BLUE JEANS FOR BABIES** and **READING CHAMPIONS**. Very importantly, they support and promote our various health education programs that aim to educate the general public of the importance of regular and early pre-natal care, to ensure the outcome of a healthy baby. They also provide staff involvement on our local Communications Committee, and are very involved with the idea and implementation process of our PSA's.

Hanson Communications is a highly regarded community leader, and the Thumb Division - March of Dimes extends it's sincere gratitude for their on-going support and enthusiasm for our mission.

Sincerely,

Gerald W. Keller  
Division Director

(hanson comm support ltr....wpdocs/wd)