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EDWARD J. WILK
1112 NORTH GROVE AVENUE
TEL: (708) 524 - 8515 OAK PARK, ILLINOIS 60302-1239 FAX: (708) 524 - 8588

July 20, 1999

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Office of the Secretary
Federal Communications Commission
445 12th Street S.W., Room TWB 204
Washington, D.C. 20554

RE: Comments on FCC's Creation of a Low Power Radio Service
MM Docket No. 99-25
RM-9208
RM-9242

Dear Sir or Madam,

Transmitted, herewith, are the formal comments of Edward J. Wilk regarding the FCC's Creation of a Low Power Radio Service. As are required with the submission of formal comments, the original and nine copies are provided. Please file and distribute these comments as appropriate.

Sincerely,

Edward J. Wilk

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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

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COMMENTS OF

Edward J. Wilk
1112 North Grove Avenue
Oak Park, Illinois 60302-1239
(708) 524 - 8515

I, Edward J. Wilk, file these comments on July 20, 1999, in the FCC's Creation of a Low Power Radio Service, MM Docket No. 99-25.

I agree with FCC about the establishment of new 1000 watt and 100 watt low power FM (LPFM) radio stations. I do not believe that 1-10 watt stations should be established. I would like to see these new low power FM (LPFM) radio stations go to individuals, not mega corporations that own a great number of stations, and that the new applied for station should go to the first qualified applicant.

I agree with the FCC establishing new 1000 watt and 100 watt low power FM (LPFM) radio station for both urban and rural areas. In urban areas, 50 to 100 existing AM and FM stations are in an area virtually duplicating programming formats eliminating variety. Out of 100 stations in an urban market, a total of 10 formats can be heard. This situation has been aggravated since 1997 by duopoly. Large corporations have acquired massive numbers of stations and have attempted to run those stations as cheaply as possible. Local programing and news are replaced with network nationwide broadcasts that fill air time and the stations commercials are sold as a group. Duopoly stations need not compete against it's sister station. Independent broadcasters find it harder to compete against duopoly owners and have also cut some program services as well to survive. The urban listener looses as overall service declines. 1000 watt low power FM (LPFM) radio stations may help fill this void by providing alternative service.

In rural areas, usually one broadcaster will own both the AM and the FM station for a city or community. Because of the close location to urban areas no additional stations could be built. This broadcaster has a captive audience and provides service anywhere from no service to superior service to the community of license. The proposed 1000 watt and 100 watt low power FM (LPFM) radio stations would provide a second broadcaster to the community of license and would raise the standard of a station providing no service.

I do not believe that 1-10 watt stations should be established. I can remember the old Class D Educational Station and remember how saturated certain channels in urban areas of the Educational portion of the FM band became. Even with this legal allocation, most of these stations were unlistenable except for a short distance near the transmitter site. Overall the channels highly populated with a number of closely spaced 10 watt stations provided nothing but interference to reception and should be avoided in this proposed action.

I believe that these new low power FM (LPFM) radio stations should go to individuals who do not own any radio property. Additionally, rules should specifically prohibit these stations from falling into the hands of the owners of existing AM and FM stations in the proposed area of the station. Mega broadcast corporations owning vast numbers of stations should be prohibited from any low power FM (LPFM) ownership. Individuals were lockout of the expanded AM band action. In order to even be considered for an expanded band channel you had to be the owner of an interfering daytime AM station who applied by letter for a expansion band lottery. I have no way to know but I believe that most of these station have not been constructed. The stations not yet constructed should be made available for application. Mega broadcast corporations will just busy out these channels without providing new and unique service to the coverage area.

I do not know if the Commission will be publishing a table of allocations in this action or if it will be just accepting applications for these low power FM (LPFM) stations. I would like to see the Commission just accept applications for these low power FM (LPFM) stations and not have a formal table of allocations. In any case, I would like to see the Commission accept the first technically non-interfering application and immediately issue a construction permit. In the past, in order to establish an FM station in a community, an applicant would technically determine that a station could be placed in a community and petition to have the table of allocations amended. Once the table of allocations was amended to include the community the applicant would file an application to construct the station. Eight to twelve "gold diggers" would apply for the same channel and a long comparative procedure was undertaken. The result usually was whoever had the most money and could hold out the longest won the rights to build the station. The original applicant who determined that service was necessary and useful to the community of license walks away empty handed. Recent rule changes streamlined this process to an immediate bidding and again whoever has the most money wins the channel. I would like to see an application tendered and an immediate construct permit issued. In the event of competing applications, the application received by the Secretary of the Federal Communications Commission first would receive the construction permit.

Submitted by:

Edward J. Wilk
1112 North Grove Avenue
Oak Park, Illinois 60302-1239
(708) 524 - 8515
July 20, 1999