

**Before the
Federal Communications Commission
Washington, DC 20554**

In the Matter of)	MM Docket No. 99-25
Creation of a)	RM-9208
Low Power Radio Service)	RM-9242

To: The Commission

**COMMENTS OF WESTERN NORTH CAROLINA PUBLIC RADIO, INC.,
NONCOMMERCIAL EDUCATIONAL LICENSEE OF WCQS-FM IN ASHEVILLE
NORTH CAROLINA AND WFQS-FM IN FRANKLIN NORTH CAROLINA**

Western North Carolina Public Radio, Inc. (AWNCPRI≡) hereby files the following comments in response to the *Notice of Proposed Rule Making (ANotice≡)*, FCC 99-6, released February 3, 1999, in the above-captioned proceeding. The *Notice* seeks comment on a wide variety of issues related to whether the Commission should establish three new classes of low power radio or microradio service in the FM band.

WNCPRI opposes the proposals set forth in the *Notice*.

WNCPRI provides 24-hour/day (Afull service≡) public radio to the eleven counties of Western North Carolina via a network of two transmitters and six translators. This complex system of transmission is required to get our signal around the mountains of Western North Carolina and onto the ground where people live. Despite this extensive transmission network, WNCPRI still does not provide service to everyone in this region. We have plans to activate additional translators to provide coverage to currently unserved areas of our region, but low power FM (ALPFM≡) as proposed may preclude that possibility.

Translators are secondary services and can be forced off the air by fully-licensed stations. There is nothing in the *Notice* that indicates that existing translator service would be grandfathered in to protect their service from pre-emption by new LPFM licensees. This presents the danger to existing full-service translators that they may be forced off the air by a LPFM station that may only be on the air four hours a day or one day a week. This will diminish public service to the communities affected in two ways. First, the 24-hour / day service of a full-service translator may be eliminated by a LPFM service that might only be on the air for limited hours during a day or week. Second, there is no indication in the *Notice* that LPFM services would be required to participate in the Emergency Action Notification (EAN) system. Pre-emption of a full-service translator that repeats an EAN-participating station by a non-participating LPFM service would deprive a community of important life-saving information in the event of an emergency.

The *Notice* also does not address an important public policy issue - this being that many translators of non-commercial educational licensed stations were funded by the U.S. Department of Commerce via grants from the National Telecommunications and Information Administration Public Telecommunications Facilities Program (PTFP). Four of the six WNCPRI translators were funded by PTFP grants. Again, assuming that LPFM licenses can pre-empt full-service translator service, it would not make sense for one branch of the Department of Commerce (the FCC) to eliminate the service funded by another branch of the Department of Commerce (PTFP). This would be both bad fiscal policy and bad public policy.

WNCPRI does not oppose the creation of new outlets for additional broadcast services. What we do oppose is the pre-emption of full-service broadcasting by LPFM authorizations that will provide less service to the public. We can only support the creation of LPFM services if they are authorized as secondary to full-service translators.

Respectfully Submitted,

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