

in a Low Power Radio Service so not to unfairly exclude a particular segment of the public from radio service. For example, if there was need for a foreign language station in any given city, one may not survive without commercial support, and may not even make it to the air without the possibility of commercial support. Also, the hope of community-based radio for many areas would be lost without commercial income. Groups such as schools and religious groups should also have the option to choose non-commercial status as the organization of these groups could make such a status preferable.

As the Proposed Rulemaking for the Creation of a Low Power Radio Service states, three forms of stations with different power levels, and more importantly, differently sized coverage areas are mentioned: LP1000 (1000 watts ERP, 60 meters HAAT), LP100 (100 watts ERP, 30 meters HAAT) and Microradio (1-10 watts ERP, 30 meters HAAT). This commenter would recommend exploring the possibility of intermediate services, such as, for example, LP250, which could be 250 watts, 30 to 60 meters HAAT in order to make the most efficient use of the available radio spectrum.

As proposed, LP1000 stations would receive "primary status", although the lower powered services would only receive "secondary status", which could mean an important and valuable public service could be taken from a community at any time. It is difficult to argue for primary status for a Microradio station, as to the nature of such a station regarding the trade off of service a high powered station verses a micro powered station could provide. But a valid argument can be made to support primary status for an LP100 station, as these station would serve entire communities and the surrounding areas. The way the current proposal reads, a distant station could slightly change their coverage area, which could in effect require an LP100 station to leave the air. The public service lost from this action will greatly outweigh the public service gained from the expanded contour of the primary station.

As an alternative to giving primary status to an LP100 station, the FCC should give the option to the Low Power Broadcaster to operate with a lower power or directionalize, if a primary station's signal begins to conflict, after the low power broadcaster has already begun operation. (This is only suggested as an alternative; primary status to an LP100 would be preferable to insure the public's interest.) After a Microradio station has begun operation, the similar option should be made available if other signals begin to conflict. Nonetheless, the complete loss of a local radio service would be a tragedy to any community and could have far reaching effects, both culturally and economically.

Stations that would operate in the Low Power Radio Service should not, under any circumstance, create interference to another station. On the other hand, no loss of service should occur if a Low Power Station is allowed to receive interference. The Proposed Rulemaking outlines mileage separations for both situations in it's appendix which should be suitable to allow received overlap to Low Power Radio. Obviously, a station that receives overlap would create a better public service than no station at all. Second and third adjacent channels are no longer a necessary issue for contour protection with advancement in technology resulting in higher receiver standards.

Further on the subject of related contours, is the matter of FM Translator Stations. These stations were given their license with the understanding that their operation was secondary to any primary signal. Therefore, it is justifiable that these stations should be displaced by a local service, instead of continuing their distant or duplicate service. These applicants entered the agreement that they would leave the air if a primary signal were to conflict. Unfortunately, a locally originating LP100 service would not displace a non local (or duplicate) FM Translator service unless they too are given primary status as proposed with the LP1000. Other secondary signals should not "bump" another secondary signal, therefore LP100 will have to fall in line under the current proposal.

Another crucial matter of concern to the creation of a Low Power Radio Service is the process used to award licenses. Due to the nature of this service, the best applicants who may be the most intimately aware of a potential community of service may not realistically be able to battle out hearings that result due to mutually exclusive applicants. A first come-first served process may work well, and alternatively, a lottery process could be used for the mutually exclusive. Or a method or "checklist" of eligibility/exclusion could be used. If there are two equally qualified applicants, this checklist could be used. Such a checklist could also partially resolve the issue of residency requirements, by eliminating an applicant who is not a resident. See figure 1.

-----[Figure 1:]-----

SAMPLE CHECKLIST

1. Which applicant lives (or is based) closer or in the community to be served?
 2. Which applicant can financially support a station in this community the best?
 3. Which applicant has more intimate connections to this community (or, which one has lived there the longest)?
- [a myriad of questions could be posed; the applicant with the most votes could receive the license. These questions are merely samples, and not intended as actual points of consideration.]

-----[End of Figure 1]-----

License periods should be renewable in the Low Power Radio Service. If a license is not renewable, a vital service could be interrupted, creating a disruption of service; a segment of the population suddenly could be without a voice. An established local service should not be taken away from the people.

This commenter feels the above points should be emphasized to the Commission in the Rulemaking Process. The creation of a Low Power Radio Service is a necessary step in the evolution of this country. If this country is fortunate enough to receive such a service, it should be created with integrity and merit. This service could mean a lot to this country and it's people.

Respectfully submitted by:

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