

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of
Proposal for Creation of the Low Power FM
(LPFM) Broadcast Service
Docket No. MM 99-25

To: Federal Communications Commission:

Comments of James Van Nort

I endorse and support the establishment of a Low Power FM Broadcast Service and request your approval of FCC NPRM (MM Docket No. 99-25).

The Fairbanks North Star Borough is comprised of about 80,000 people who primarily live in the adjoining communities of Fairbanks and North Pole, Alaska. Ten years ago 72 percent of all the radio stations serving these cities were owned and operated by local residents. Today, only 30 percent of our radio stations are locally owned (pending Commission approval of the sale of several local licenses). Adoption of a LPFM service will return programming diversity and local voices to radio in our community.

I respectfully submit the following comments on the NPRM:

1. This service should allow for both commercial and non-commercial stations and utilize three classes of stations: LP1000, LP100 and AMicroRadio.≡
2. Ownership should be limited to Alocal owners≡ by utilizing a 50 mile rule as proposed in RM-9242. With the exception of certain AM station owners who operate broadcast facilities with a night-time power of less than 250 watts, anyone who owns a full-power radio station, TV station or newspaper should be barred from applying for a LPFM license or buying such a station once it is constructed by another party. Joint sales agreements, management agreements, time brokerage agreements and local marketing agreements between a full-power broadcast station and a LPFM station should be prohibited.

Comments of James Van Nort

Re: MM Docket No. 99-25, continued:

3. LP1000 (Primary Service) stations may operate with a maximum effective radiated power output of 1000 watts at 100 meters HAAT, provided they do not interfere with full-power FM stations operating in the same area. The 3rd adjacent channel restriction currently in place for full-power stations should be waived for LPFM stations. LP1000 stations operating at the maximum ERP and HAAT level should be protected to their 1 mV/m (60 dBu) signal contour. Potential LPFM interference problems should be predicted by utilizing a Prohibited contour overlap method similar to the format now used for Low Power Television (LPTV) stations.

4. An applicant for any class of LPFM station should not be permitted to operate the station as a translator of a full-power broadcast station, unless it is determined to be in the best interest of the community in which the LPFM station is licensed. LPFM applicants with a significant commitment to local (i.e. non-network) programming should be given preference in the application process.

LP1000 licensees should adhere to the same Part 73 requirements concerning public interest programming as apply to full-power FM stations. LP1000 stations should also comply with all other traditional programming-related rules regarding the broadcast of taped, filmed or recorded material, lottery information, sponsorship identification, personal attacks and call sign announcements. LP1000 stations should maintain the same minimum hours of operation as are required of the lowest class of full-power FM stations.

5. LP1000 stations should have the same construction period and restrictions on extensions as full-power broadcast stations. The trafficking of LPFM construction permits should be discouraged by the Commission. LP100 and AMicroRadio stations should have a single 18 month construction period without the possibility of extensions or transfer to another party.

6. LP1000 stations should have the same license term and renewal process as is required for a full-power broadcast station. LP100 and AMicroRadio stations should be required to re-license their facility every three years with a short form application that demonstrates the station's efforts to serve the public during the license period.

7. LP1000 and LP100 stations should be treated as a full-power FM station with

regard to the Emergency Alert System. AMicroRadio≅ stations should be encouraged, but not required, to participate in the EAS.

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Comments of James Van Nort

Re: MM Docket No. 99-25, continued:

8. LP1000 and LP100 stations should be treated as a full-power FM station with regard to station identification. AMicroRadio≅ stations should use the call sign format used by traditional FM translator stations.
9. With regard to station inspections, Section 73.1225 should apply to all classes of LPFM stations. LP1000 stations should be required to maintain a Public File for inspection during normal business hours by the Commission and the general public. Public File requirements for LP100 and AMicroRadio≅ stations should be waived. Establishment of Aon-line≅ Public Files for LP1000 stations should be encouraged.
10. The Commission should use some form of Afirst-come, first-served≅ application process with five-day filing windows. Preference should be given to those applicants who file electronically.
11. The Commission should revisit the 1991 Canada-USA FM Broadcasting Agreement with regard to LPFM. I am aware of several areas along the Alaskan/Canadian border which suffer from inadequate radio coverage because of the 1991 agreement. However, until a new agreement is adopted, I believe LP1000 service should be coordinated with Canada under the 6kW Class A specification.

Thank you for the opportunity to submit these comments regarding MM Docket No. 99-25. I await your prompt adoption of a Low Power FM Broadcast Service.

Very Truly Yours,

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