

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of)	
)	
)	
Creation of a Low)	MM Docket No. 99-25
Power Radio Service)	
)	RM-9208
)	RM-9242
)	
To: The Commission)	

**COMMENTS
OF
Robert N. McCord**

Robert N. McCord, pursuant to the *Notice of Proposed Rulemaking (ANPRM @), FCC 99-6 (released February 3, 1999)*, hereby submits these Comments in the above-captioned rule making proceeding regarding the proposal to create a new low power radio service. In support hereof, I submit the following:

This submission is a follow-up to my reply comments filed with the Commission and acknowledged by Jada Barnes on behalf of the Chairman on 07/22/98 08:30pm
In association with RM 9208 & RM 9242.

I have been in the broadcasting industry for over 35 years. My experience has spanned all facets of the industry including programming, sales, management, and finally ownership. I have worked with many of the industry greats of the past, including time at KLIF in Dallas working with the respected innovator Gordon McLendon.

I sold my radio station in 1989 after and have been searching for an opportunity to re-enter the industry that I love for the last 5 years. It is interesting that the NAB characterizes the advent of Low Power FM as, "the most critical issue to face our industry in the last two decades". Many of us feel the most critical issue has been the advent of consolidation, the effects of which have reached down into the hinterlands of the United States. Recent results have seen the swallowing up of small market licenses that traditionally have been overlooked by conglomerate broadcasters.

I own a business in the small community of Sunnyside Washington. Just last month, the local station there KREW was sold to a group owner from Seattle. Now after 40 years, the local programming of high school sports and other local content is gone. The station is now fed almost exclusively from Yakima, approximately 50 miles away. Nine people are out of work. Only the overwhelming synergies of group ownership and the elimination of staff salaries could justify the price paid for this license. Clearly, consolidation is preempting local ownership.

If the tidal wave of consolidation continues, one of Americas most valuable resources will be lost. In spite of NAB rhetoric, only diversity of ownership ensures the listeners exposure to the widest possible range of opinions. The airwaves (as a public trust) are soon to be owned by a powerful few. That public trust that served this nation well for the last 50 years is in jeopardy. I believe that the passage of the Low Power FM initiative will provide a solution.

As it is my intention to establish a low power FM service in Laguna Beach, California (given the regulatory approval) I will direct my comments, on occasion, to this Community. I feel they will mirror similar circumstances in other small communities.

I have been privileged to keep in close communication with Rodger Skinner Jr. Over the last 18 months on various topics regarding Low Power FM. I will state for the record:

I am in full and complete concurrence with the issues and potential solutions as set down in the comments submitted by Rodger Skinner Jr. filed 7/29/99, in a 43 page submission electronically filed with the Commission.

To reinforce certain points in that submission. I would emphasize Mr. Skinners contention with the need to increase the LP-1000 class maximum antenna height from 60 meters to 100 meters AND the need to use both mileage separations AND a prohibited contour overlap method of processing in lieu of only the proposed mileage-separation tables. This will allow for the use of directional antennas, in many cases where mileage separations are not met and will greatly increase the number of LPFM stations that may be created. The use of a directional antenna would ensure a workable signal to be implemented in the City I wish to establish service namely, Laguna Beach California. It would ensure coverage within the confines of the service area while eliminating any infringement on second and third adjacencies.

Commercial Vs non-commercial

While the concept of a non-commercial service is laudable, and offers churches, community groups, and special interest groups, with a voice, to grant non-commercial licenses as an only option for LPFM would be a lost opportunity of significant scope. Low Power FM will not only be of service to the local community by way of truly indigenous information, but also through it's ability to provide low cost advertising, heretofore unavailable to many local business and the retail community. Small businesses in Laguna Beach have only one avenue of getting their commercial message out to the residents, the local weekly newspaper. Although it does an admirable job, it is a weekly. The Los Angeles Times and L.A. radio stations are prohibitive. A low power FM service would provide a vehicle to communicate with customers that is not presently available. Equally as important is the necessary funding the radio station will derive to transcend a non-commercial entity, through staffing and other resources that will allow a fuller range of radio services that will do credit to the community at large.

Auctions

The auction process employed on past occasions seems to fly in the face of the spirit of LPFM. The electronic filing apparatus and short windows in which to file presents an equitable method that is fair for all and, at the same time, would alleviate undue workload on the regulatory process.

Summary

To summarize my response to the Commissions open invitation for comment on various issues pertaining to MM 99-25:

1. LPFM must allow for commercial and non-commercial licenses
2. Both second and third adjacencies must be waived for LPFM stations.
3. LPFM should not be subjected to any narrowing of bandwidth.
4. Class LP-1000 stations should be permitted an antenna high of 100 meters.

In closing, Chairman Kennard has eluded to the "sky is falling" attitude of the NAB with respect to LPFM. Two significant issues have occurred in the last 5 years to realistically change the face of Broadcasting, the first is consolidation. The second is the "gifting" of increased spectrum allocation to the television broadcasters supposedly to provide HDTV. Low Power FM offers the communities of America an opportunity to bring some balance back to the airwaves and re-introduce diversity to broadcasting.

Thank you for the opportunity to submit these comments.

Yours truly,

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