

To: FCC
From Jennifer Toomey
Re: NAB letter re MM Docket No. 99-25

I am writing to you as a citizen, an artist and a music business entrepreneur to express my wholehearted support of Commissioner Kennard's Low Power Radio proposal.

Between 1990-1998 I ran an independent record label called Simple Machines. During that period I was in a unique position to see how the increase of superduopolies in regional markets eliminated our access to the commercial airwaves.

Radio airplay is the surest way to insure record sales. Without it respected labels such as mine are unable to generate the profits needed to survive, much less, to compete or expand. Over the 8 years that I ran Simple Machines our only source of consistent radio-play was college and independent radio. Many of these stations had weak signals and small ranges but they still made a significant difference to our bottom line. They helped us to develop a fan base. They advertised our shows. They gave us access to an audience. An increase of FCC licenses for similar non-profit community or university based stations would be a boon to the underground music community and would create an infrastructure for a variety of small business economies (clubs, musicians, record stores, booking agents etc.) that struggle against the major label monopoly.

In the age of superduopolies larger and larger numbers of radio stations are being programmed with smaller and smaller numbers of artists. Radio has lost its regional voice. In order to save money on program-directors and maximize profits, country-wide playlists are often programmed using focus groups. These focus groups are situated in one city but will choose the playlist for the entire country. The members of the focus groups are played 15-30 second sections of songs and asked to pick favorites. The small group of lucky songs that make the cut will then be programmed into a continuous and often repeating satellite feed, which is played simultaneously in dozens of cities. Given this antiseptic approach to programming it's easy to understand why even the most successful of local musicians are unable to get local airplay.

What's worse...over 99.9 percent of the radio played on commercial radio is manufactured by major labels. This means that unless an artist signs a restrictive contract with a major, they have little to no chance of ever hearing themselves on the radio.

This is not right.

The core issue in this debate is not whether there should be low power stations - clearly there should:

From the beginning of this process months ago, the I have supported Chairman Kennard's commitment to ensuring implementation of Low Power FM stations will not create undue interference on the FM band and his invitation to incumbent broadcasters to work with the commission on this proceeding. For the first time, the NAB seems to be taking the Chairman up on his invitation.

Any credible testing plan, however, should include extensive field tests. These field tests would do more to clarify the value and success of community based radio than a pile of theoretical predictions. Therefore I would respectfully encourage the FCC to immediately grant a significant number of test licenses, beginning with educational institutions that already run radio stations but cannot broadcast over the air.

This would be a concrete step toward evaluating whether the core concerns of broadcasters are indeed technological or economic.

Let's be clear...

Technology is transforming every aspect of our lives. I believe in the ingenuity of the engineers in this country. If offered the chance to create a more efficient FM bandwidth or a more efficient way to keep track of radio programming with the real world possibility of these resources being enacted, I have no doubt that the best and the brightest would step up to the challenge. Wouldn't it follow that newly

developed voice recognition software might be used to keep track of airwave programming and wattage without increasing manpower? The technology is available... the application is not. But as with most technological applications which develop around established needs... the need or the possibility of the need must be established first.

Sincerely,
Jennifer Toomey of the Low Power Radio Coalition