Before the
Federal Communications Commission
Washington DC, 20554

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

Comments of Ryan Olson

I am a citizen who supports Low Power FM (LPFM). The Commission proposal in Docket MM 99-25, creating several classifications for a LPFM service, is a concept worth merit and should be implemented as soon as possible. The creation of LPFM will allow individuals and community groups the opportunity to revive the "marketplace of ideas" that has been languishing for nearly 20 years. The FCC should move to a final rule, with some enhancements to assure that the service is viable and meaningful.

LPFM should be one element in the FCC's effort to promote greater public access to airwaves in this era of increased corporate ownership and consolidation.

Comments on the Requirements of LPFM

1. Fears that LPFM stations would create interference with established stations are greatly exaggerated. The Commission should enforce the conditions of the new service with the same scrutiny as it does with existing stations.
2. The application process should be open to both non-commercial and commercial organizations. There should not be any conditions that give an unfair advantage to commercial organizations. Any fees may be required for the service must be modest and there should not be any bidding process.
3. There should be a strong public access and community service components to any LPFM station because there will still be a high cost of entry into the market.
4. There should be a more active renewal process than currently available. Automatically renewing licenses is an insufficient measure in ensuring community service and fulfillment of other FCC regulations.
5. The place of business for the new stations should be located within the community that it is serving.
6. The new LPFM service should have primary status over secondary translators and boosting stations. However, existing translators and boosting stations should be

grandfathered. The Commission should allow translators and boosting stations to be used for LP1000.

Background FM Radio Conditions in San Diego

1. San Diego is wedged in between Mexico to the south and Los Angeles to the north, placing the region in subordinate position. The FM dial in the San Diego region has always been a unique situation compared to the rest of the nation. Because of San Diego's geographic location, it is impossible to find a new frequency, under current regulations, to serve the San Diego community.
2. In light of the dramatic fallout from the passage of the Telecommunications Act of 1996, the current state of FM radio in the San Diego metropolitan market is not conducive towards serving the public interest. The consolidation of stations and the increasing market value of FM stations have produced a high cost of entry for any group, commercial or non-profit, wishing to provide service to the community.

a. Before the passage of the 1996 Telecommunications Act, KFSD-FM (94.1 MHz) broadcast classical music at 100,000 watts. In 1996, Arbitron ranked KFSD-FM among the top ten most-listened-to stations in the San Diego region. Despite its popularity, there were many doubts as to the

viability of the station because it serves a mainly older segment of the population.

b. After the acquisition of the station by Nationwide Communications, the format of the station was changed geared towards 35- to 50-year-olds. Nationwide Communications rechristened the station "The Eagle" and changed the call letters to KXGL.

c. The format of the new station was similar to several others in the San Diego area. The new station did not promote increased diversity or serve the public interest in any significant way.

d. The call letters and the music library of KFSD were transferred to 92.1 MHz, a lower-powered frequency located in Vista, Calif. The new KFSD does not have the coverage to serve the entire San Diego community.

e. This example disproves the statement by the National Association of Broadcasters that

3. Despite claims by the NAB, the consolidation of owners has had an impact in San Diego.

a. One corporation has influence over 13 separate stations in the San Diego region. Jacor Communications (a subsidiary of Clear Channel Communications) owns eight American stations and controls another three stations

from Mexico. Heftel Communications (which Clear Channel owns 25 percent) owns two stations. Even though these stations are physically located in the San Diego region, the stations are ultimately beholden to Clear Channel headquarters in San Antonio, Tex. These stations are responsible to the company's stockholders, not the community in which they pledged to serve.

b. Consolidation in the radio market has placed a muzzle on political discourse in San Diego. In the 1996 general election, critics alleged that Jacor Communications fired a popular talk show host because his stance on an issue ran contrary to that of the corporate line. It seems that Jacor sought to sequester political discourse to further its own agenda for its sole benefit. These actions cannot be considered to serve the public interest.

4. In San Diego, very few non-profit institutions were able to use the frequencies in the non-commercial allocation, partly because of inequities in the radio relationship between the United State and Mexico. XETV-TV can be heard at 87.7 MHz, the extreme bottom of the FM allocation, preventing legitimate FM operations in the lower part of the spectrum. XTRA-FM (91.1 MHz) and other stations originating from Mexico broadcast at extremely high power. While legal in Mexicao, the high power of the

signal bleeds into adjacent frequencies preventing Americans to utilize their allocations due to interference.

5. Several groups are interested in creating LPFM stations for serving the community. In the San Diego region, several well-established community groups are eager to launch LPFM stations.

a. The University of California, San Diego (UCSD) has had a college radio station (KSDT) broadcast on coaxial cable for almost 30 years. In the 1980s, the university administration funded an engineering survey to explore the possibility of adding a new FM frequency in San Diego. The result of the study was that there are no frequencies available. UCSD currently broadcasts "UCSD-TV", a low-power television station at UHF 35. UCSD also owns a broadcasting tower atop Mt. Soledad that it leases space to others to broadcast.

b. Other schools are interested in launching radio stations including San Diego State University and Grossmont College.

The Commission should vote to create the LPFM service. The benefits of the new service outweigh the possible negatives. The new service reinforces the fact that the

airwaves are owned by the citiens of the United States. Because it is impossible for everyone to use the spectrum, the Commission and the station owners are responsible to ensure that the spectrum is being utilized for the public good.

Respectfully Submitted,

Ryan Olson

Student, UC San Diego

12758 Treeridge Ter

Poway, Calif. 92064

(858) 486-5935

rtolson@ucsd.edu

http://www.geocities.com/collegepark/7022