

In Re: MM 99-25

This comment is in opposition to the proposed creation of LPFM service.

The Federal Communications Commission does not now do an adequate job of policing interference caused by FM translators to licensed stations, a smaller-scale problem analogous to the proposed service. The Commission has virtually abandoned its previous policy of protecting licensed signal contours in favor of a hands-off approach of suggesting that licensees work with owners of translators that cause interference to resolve problems. Under this new policy, it will only step in if a substantial number of listeners not affiliated with the station in any way have filed interference complaints and only if licensees cannot resolve the complaints between themselves. (The quotes are directly from conversations I have had with Commission Staff in attempting to resolve an interference problem.)

The extant policy, which would likely apply to LPFM service as well, raises the spectre of thousands of interference cases created by LPFM stations, which the Commission will expect stations to resolve in negotiations, and for which the Commission is ill-equipped to deal. If the Commission cannot do any better than this when it comes to a few translators, how in the world does it expect to regulate interference generated by potentially thousands of low-powered FM stations?

Furthermore, the proposed service ignores the fact that more than 60% of radio listening occurs, not in homes, but in cars. The notion that people will suddenly begin listening to a neighborhood of FM stations in their homes is predicated on a naive belief that audience habits will change merely because a low-power signal becomes available in a small area which a listener is only likely to be able to receive during a part of his/her day.

Instead, what is more likely to occur is that commuters and automobile travelers who now rely on high-powered stations for relatively consistent service will begin to encounter numerous pockets of interference generated by low power stations on adjacent or co channels that extend for several blocks or several miles. These interference stretches would be just long enough to force annoying button-punching, or lead listeners to resort to non-radio audio sources which will ultimately diminish listening levels and the viability of over-the-air broadcasting.

This ill-conceived proposal would lead to further Balkanization of over-the-air broadcasting and countless technical problems which, in the current climate of deregulation and budget limitations, the Commission is simply not equipped to handle. Nor would the Congress be likely to fund the necessary staff to resolve such issues.