

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Proposal for Creation of the Low Power FM) **FCC MM 95-25**
(LPFM) Broadcast Service)
)

To: The Commission

Filed: Aug. 2, 1999

COMMENTS of CURT R. DUNNAM

1. A stated purpose of the current LPFM rulemaking is to significantly increase broadcast diversity. To attain this basic goal, multiple-ownership of LPFM's should NOT be allowed. Local ownership ONLY should be permitted, with legal residence of the owner (or majority of the Board of Directors if a non-profit corporation) to be located within 50 miles of the station.

Lacking this condition, it is clear that well-financed special interests¹ will inevitably dominate the proposed LPFM service.

2. LPFM should allow for "commercial" (commercially supported) as well as "non-commercial" stations.

3. Both the 2nd and 3rd adjacent channel restrictions must be dropped for LPFM stations. Improvements in receiver design since the rules were written decades ago will allow these restrictions to be dropped without causing interference to existing stations or planned digital I.B.O.C. signals².

¹ E.g., evangelical religious organizations. Such organizations already control literally hundreds of non-commercial primary and thousands of noncommercial translators nationwide (Elliott Broadcast Services database search).

² Ref.: B. Kroeger, D. Cammarata, "Robust Modem and Coding Techniques for FM Hybrid IBOC DAB Solution", Radio World, Dec. 24, 1997, pp. 26-29., as cited in "Reply Comments of Curt R. Dunnam", May 25, 1998

4. Preferably the FCC will use a "prohibited contour overlap" method of predicting interference, as is now easily done in the Low Power television service with the appropriate computer program. The LPTV service uses a computer program "LP-ONE" to show if a proposed station would cause interference. It would be a one time cost to have a similar program written for LPFM processing. This would allow for many more LPFM stations to be created nationwide and would make the use of standard "directional patterns" feasible. This type of processing would allow use of directional antennas, as is done in the LPTV service, allowing many more LPFM stations to be created by putting the signal where needed while limiting the signal in the direction of stations that need to be protected. The directional antenna patterns would be included in the FCC "directional antenna database" and thus using their patterns would be a simple matter. If the FCC sticks with its strict "mileage separation tables" as put forth in their NPRM, many major markets will not receive any LPFM stations. Many small markets still have availabilities for full-power channels to be assigned, but the larger cities are packed full with full-power stations and the only way to get a new FM station on the air there is to buy an existing one for many millions of dollars, in most cases. By simply using the "prohibited contour overlap" method, many of these major markets will be able to be served by one or more LPFM stations. If a channel does not meet the strict mileage separations in the FCC's currently proposed "mileage separation table" then the channel cannot be used; however, in many cases the channel could be utilized by using a directional antenna to restrict the power in the direction of the station that would otherwise be interfered with. The signal protection ratios remain the same as with the "mileage separation tables" but applicants can then have channels available where none were before under the strict "mileage separation tables". This method is also called the "desired to undesired signal ratio" method. Studying the computer program that the Commission has provided to calculate the number of LPFM channels that might be available, it is quite apparent that the currently proposed system of "mileage separation tables" will severely limit the number of LPFM stations that might be created, especially in major markets where no full-power FM channels are available. Thus, it is **IMPERATIVE** that the FCC adopt a "prohibited contour overlap" method of processing and predicting interference, if the LPFM service is to flourish nationwide. This method by far makes the most efficient use of the spectrum and with a simple computer program could be accomplished using minimum Commission resources. The benefits of making many more stations available easily outweigh any arguments against this approach.

5. The 60 meter (197 feet) limitation on Class LP-1000 stations in the FCC NPRM should be increased to 100 meters (328 feet), which is the same as for Class-A full-power FM stations. This would provide for an additional 2-3/4 miles of coverage without requiring any additional power. Distance to 60 dBu contour would increase from 8.8 miles to 11.76 miles, which could help LPFM stations reach significantly more people and thus enhance their ability to survive. While keeping LP-100 antenna heights under 200 feet so as to not require FAA clearance is reasonable, there is no reason to limit "primary status" LP-1000 stations to such an arbitrary height, since they will have to abide by the majority of FCC rules that apply to full-power stations. LP-1000 stations should have a 100 meter limit, not 60 meters as proposed.

6. LPFM must not be subjected to a narrower bandwidth than full-power FM stations since audio quality could suffer.

7. The Commission should try some form of "first-come first-served" application process with five-day filing windows. If this system proves unworkable, then and only then should the FCC consider using auctions to select between mutually exclusive (MX) applicants. If auctions are considered, there should be some form of substantial "bidding credits" available to small business applicants that would allow them to compete with applicants with large financial resources at their disposal. This is imperative since the Commission is trying to lower the barrier to entry for new applicants of lesser financial status. The present scheme of bidding credits of 35% or 25% would not provide sufficient leverage for financially challenged individuals. Something more in the range of 50% to 75% is reasonable if auctions are mandated.

8. Those who own any part of a full-power (full-service) radio station, full-power TV station or newspaper should be barred from applying for a LPFM license or buying such a station once constructed by another party.

9. Class LP-1000 stations should include stations from 1,000 watts down to 200 watts, as long as an engineering showing proves no interference using the "prohibited contour overlap" method as mentioned above. These stations should be "primary status" and protected to their 1 mV/m (60 dBu) contour.

10. Class LP-100 stations should be designed to fit in where LP-1000 stations will not fit, even using directional antenna patterns kept in the FCC database. These stations should be "secondary status" with a minimum of FCC rules to adhere to, mainly technical rules to prevent interference.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. R. Dunnam', followed by a long horizontal line extending to the right.

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