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AUG 2 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Re: MM Docket No. 99-25, RM-9208, RM-9242

Dear Ms. Salas:

On behalf of Americom Las Vegas Limited Partnership and Americom, a California Limited Partnership (collectively, "Americom"), transmitted herewith are an original and four copies of Americom's comments in the above-referenced matter.

Please date-stamp the enclosed "Return Copy" of this filing and return it to the courier delivering the package.

Should there be any questions concerning this matter, please contact the undersigned.

Respectfully submitted,



Ross G. Greenberg

Enclosures

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BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

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AUG 2 1999
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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 AMERICOM LAS VEGAS LIMITED PARTNERSHIP AND
AMERICOM, A CALIFORNIA LIMITED PARTNERSHIP**

Americom Las Vegas Limited Partnership and Americom, a California Limited Partnership (collectively, "Americom"), licensees of several full power radio stations and their associated FM translator stations,¹ by their attorneys, hereby comment on the Notice of Proposed Rule Making in the above-captioned proceeding, FCC 99-6, released February 3, 1999 (the "Notice"). While, as a general proposition, Americom does not support implementation of the proposed new low power FM ("LPFM") service, Americom believes it particularly important to comment on one specific aspect of the Notice. The Notice seeks comment on, *inter alia*, whether

¹ Americom Las Vegas Limited Partnership is the licensee of, *inter alia*, Station KLCA(FM), Tahoe City, California, and associated FM translator Station K241AK, Verdi, Nevada; Station KRNO-FM, Reno, Nevada, and associated FM translator Stations K292EP, Incline Village, Nevada, and K257CW, Verdi, Nevada; and Station KWNZ(FM), Carson City, Nevada. Americom, a California Limited Partnership is the licensee of Station KODS(FM), Carnelian Bay, California, and its associated FM translator Stations K267AA, Incline Village, Nevada, K269DB, Stateline, Nevada, and K285EQ, Verdi, Nevada.

the Commission should afford certain classes of proposed LPFM radio stations primary status against existing FM translator stations. Notice at ¶¶ 29, 33. Americom believes that such action would endanger established full power FM stations that rely on FM translators to broadcast their signals on a “fill-in” basis to significant areas that are within their predicted 60 dBu, even 70 dBu, contours.

FM translators were first authorized in 1970 as a means of providing FM service to areas and populations that were unable to receive satisfactory FM signals due to distance or intervening terrain obstructions. Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations, 5 FCC Rcd 7212 (1990), at ¶ 2. While the Commission has long recognized the benefits of FM translators, they have been given secondary status so as not to interfere with the operations of full power FM radio broadcast stations. Id. Nevertheless, the Commission has acknowledged that FM translators provide “the delivery of necessary service to the public.” Id. at ¶ 86. *See also* Amendment of Part 74 of the Commission's Rules Concerning FM Translator Stations (Notice of Inquiry), 3 FCC Rcd 3664 (1988), at ¶ 31 (“[I]ncreas[ing] use of FM translator facilities to provide new service to underserved areas and to serve the interests of specialized audiences may be generally consistent with our goal of maximizing the number and diversity of mass media outlets.”).

Although FM translators may be utilized to reach underserved areas outside the predicted 60 dBu coverage contours of full-service FM facilities, in regions with rugged topography, translators are an *essential* means by which a full power station may cover its market. Such terrain makes it impossible for full power stations to deliver their authorized, predicted 60 dBu signals to their listeners without employing FM translators. In such cases, only

translators can provide this essential “fill-in” service to listeners who would otherwise be deprived of the FM station’s signal. Therefore, a preference for new LPFM stations over established translators would have the perverse effect of eliminating essential coverage for full power FM stations, a result that unfairly penalizes established stations that must operate in rough terrain and works to the detriment of those stations’ listeners.

As demonstrated in the Engineering Statement of Hatfield & Dawson (the “Engineering Statement”) attached hereto as Exhibit A, full power FM facilities located in mountainous terrain, such as the Reno-Carson City-Lake Tahoe area, simply cannot provide off-air service to sizable regions predicted to be within their “normal” service areas. In the Reno-Carson City-Lake Tahoe area, Americom’s FM translators are indispensable in enabling the signals of its FM stations to reach their predicted, protected coverage areas and populations. The Engineering Statement (at 2) makes clear that because of harsh topographical realities, “[p]rimary station coverage falls well below 60 dBu in many populated areas which are within the stations’ 70 dBu contours. In the case of KODS, this occurs even in communities which are located on the north shore of Lake Tahoe, just 13 kilometers from the [KODS] transmitter site.” (Emphasis in original). Without these FM translators, people in these coverage areas would be denied basic service from Americom’s FM stations.

In addition to entertainment programming, Americom’s FM translators provide substantial public service benefits to listeners within their service areas. As explained in the Declaration of A. Thomas Quinn (the “Declaration”), attached hereto as Exhibit B, during the severe winters in the Reno-Carson City-Lake Tahoe area, Americom’s translator stations “provide essential road, weather and storm information to thousands of residents and visitors.”

Declaration at ¶ 2. Recognizing the importance of such service, “the state highway departments in both California and Nevada have posted Americom’s translator frequencies on highway signs notifying motorists that they can tune to Americom’s translators for critical road and weather information.” Declaration at ¶ 4. Mr. Quinn’s Declaration also compellingly underscores the critical importance of the FM translators to the coverage, and overall viability, of Americom’s full power stations in the Reno-Carson City-Lake Tahoe market.

If, as proposed in the Notice, LPFM radio stations are accorded primary status vis-a-vis Americom’s FM translator stations, these vital facilities could be driven out by new LPFM stations, to the clear detriment of Americom’s listeners, the public interest and public safety. Such a possibility is not unique to Americom and the Reno-Carson City-Lake Tahoe area, however. As shown in the Engineering Statement, numerous fill-in FM translators broadcasting the signals of established FM radio stations throughout the country would be jeopardized if the Commission’s proposal is enacted. See Engineering Statement at 2-4, reviewing the circumstances affecting stations in the Medford-Ashland-Grants Pass, Oregon market.

Such a result should not be permitted. Indeed, the Commission should take steps to ensure that existing stations be protected from any new LPFM stations. At a minimum, FM translators that are essential to provide fill-in service for full power FM stations because of local topography should be protected against interfering LPFM stations, since these FM stations have no choice but to employ translators to deliver their *authorized* signals to their listeners. Fundamental notions of fairness dictate that long-serving, established stations not be displaced by new services. Accordingly, the Commission should not give LPFM radio stations primary status against FM translator stations.

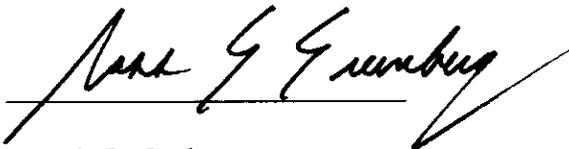
CONCLUSION

For the foregoing reasons, the Commission should not afford new LPFM stations primary status against fill-in translator stations that enable their associated full power FM stations to cover their authorized service areas.

Respectfully submitted,

AMERICOM LAS VEGAS LIMITED PARTNERSHIP

AMERICOM, A CALIFORNIA LIMITED PARTNERSHIP

By: 

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August 2, 1999

Their Attorneys

EXHIBIT A

Engineering Statement of Hatfield & Dawson, attached.

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Engineering Statement

Protection of the FM Translator/Booster Service from Interference Due to Prospective LPFM Operation

The FM translator service was established by the FCC in order to provide FM coverage in two areas: 1) areas which are under-served or not served by FM stations because they are outside the coverage area of full-facilities FM broadcast stations, and 2) areas within the "normal" service area of FM stations, but where service is poor or lacking due to the vagaries of local topography. The FM booster service provides FM broadcast stations with the ability to improve coverage within the normal service area of FM stations where the primary signal is essentially absent, due to local topography.

FM translators are "secondary" services but have protection with respect to the potential for interference received from and caused to other translators. Thus, the service of an existing translator cannot be compromised by interference from a proposed newcomer. This principle is intrinsic to the service role of translators. Translators themselves, especially in the case of those which provide "fill-in" service, can be absolutely vital to the service objectives of the primary stations whose programming they carry. There are many illustrations of markets in the mountainous parts of the United States where coverage of the entire market from a single transmitter site is simply impossible.

Reno-Carson City, Nevada

A good example of this would be the circumstances of stations in the Reno-Carson City, Nevada market. Population growth in this region has pushed development into suburbs beyond the boundaries of Reno and Carson City, including Verdi (located west of Reno) and the communities on the shore of Lake Tahoe.

The two attached maps depict the standard 60 dBu and 70 dBu F(50,50) contours for stations KODS 279C1 Carnelian Bay, California and KWNZ 247C Carson City, Nevada, along with the predicted "real world" Longley-Rice coverage of each station. These two stations are typical of stations in the market. KODS operates from the antenna farm located at Slide Mountain, while KWNZ operates from the antenna farm located at McClellan Peak.

These maps clearly illustrate the effect which local topography has upon the signal of these two stations. Primary station coverage falls well below 60 dBU in many populated areas which are within the stations' 70 dBU contours. In the case of KODS, this occurs even in communities which are located on the north shore of Lake Tahoe, just 13 kilometers from the Slide Mountain transmitter site.

The importance of translators in this area is further evidenced by the fact that licensees of primary stations have gone to the trouble and expense of establishing those translators, in many cases to serve areas located within the primary station's 70 dBU contour. For example, Americom Broadcasting is the licensee of several FM stations in the Reno-Carson City market, and are also the licensees of several translators which rebroadcast those stations, as follows:

KLCA 243C1 Tahoe City, CA
K241AK Verdi, NV

KODS 279C1 Carnelian Bay, CA
K267AA Incline Village, NV
K285EQ Verdi, NV
K269DB Stateline, NV

KRNO 295C Reno, NV
K257CW Verdi, NV
K292EP Incline Village, NV

Medford-Ashland-Grants Pass, Oregon

Another compelling example of a market in which translators are absolutely necessary to provide service to the whole market is located in southern Oregon, where the cities of Medford, Ashland, and Grants Pass sit among the high peaks of the Siskiyou Mountains. These three cities are arranged along the valleys of the Rogue River and its tributaries, over a linear distance of about 35 or 40 miles. This distance is just about equal to the "normal" radius of principal community coverage for a full facilities class C FM station. Yet there is no single site within the entire region that allows satisfactory multipath-free FM service to all three cities, let alone to the other communities which are a vital part of this market, including Cave Junction, Rogue River, Gold Hill, and Jacksonville.

Even area-wide television service to rooftop antennas is not possible, as is reflected by the high cable television penetration of this market. Despite the fact that *predicted* FCC F(50,50) 70 dBU coverage to all three cities, or to any two of them, is possible from several sites, FM stations in this market rely on translators to provide service, in some cases to locations just a few miles from their transmitter sites, because *real off-air* service is not possible to the entire area.

The three attached maps depict the standard 60 dBU and 70 dBU F(50,50) contours for stations KTMT 229C Medford, KCMX 270C1 Ashland, and KROG 245C Grants Pass, along with the predicted "real world" Longley-Rice coverage of each station. These three stations are typical of stations in the market; they each operate from a different site, yet none of them can provide service to all three cities without the aid of translators. KTMT operates from Mount Ashland, KCMX operates from the antenna at Mt. Baldy farm east of Medford, and KROG operates from a transmitter site on Baldy Mountain (a different site than Mt. Baldy) near Grants Pass.

These maps clearly illustrate the effect which local topography has upon the signal of these three stations. Actual primary station coverage falls well below 60 dBu in many populated areas which are within the stations' F(50,50) 70 dBu contours. KTMT cannot serve Grants Pass, Cave Junction, and Rogue River from its primary transmitter site, and does not have reliable service in Jacksonville and parts of Ashland. KCMX cannot serve Grants Pass and Cave Junction from its primary transmitter site, and does not have reliable service in Rogue River. KROG cannot serve Ashland, Cave Junction, Jacksonville, and Talent from its primary transmitter site, and does not have reliable service in much of Medford. This is despite the fact that these stations operate with Class C and Class C1 facilities, and from very elevated transmitter sites close to or even in the center of the market.

The importance of translators in this area is further evidenced by the fact that licensees of primary stations have gone to the trouble and expense of establishing those translators, in many cases to serve areas located within the primary station's 70 dBu contour. For example, the following Class C2 and higher stations in the Medford-Ashland-Grants Pass market operate the following translators:

KSOR 211C Ashland
K201BG Dead Indian (Ashland)
K204AV Lincoln
K205BD Grants Pass
K213AI Klamath Falls
K215AR Cave Junction
K220BJ Klamath Falls

KDOV 219C2 Medford
K201DI Grants Pass
K221DS Medford & Central Point

KTMT 229C Medford
K221CP Grants Pass
K227AA Ashland
K265AC Klamath Falls

KBOY 239C1 Medford
K241AG Grants Pass

KROG 245C Grants Pass
K233AJ Ashland
K246AD Ashland

KLDR 252C2 Harbeck-Fruitdale
K254AD Medford
K259AE Wolf Creek
K283AE Cave Junction

KRWQ 262C1 Gold Hill

K257BO Jacksonville
K257BT Cave Junction
K257BP Grants Pass
K288CP Merlin

KCMX 270C1 Ashland

K296DA Grants Pass

KCNA 274C Cave Junction

275 App Jacksonville

KLDZ 278C1 Medford

K225AC Grants Pass
K266AC Rogue River
K281AG Jacksonville

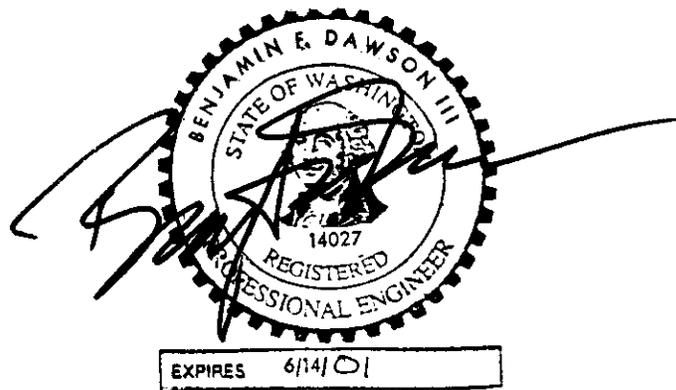
KAKT 286C1 Phoenix

K284AF Grants Pass
K284AE Ashland

Conclusions

The markets cited above are hardly unusual examples. Within Oregon another example of this type of topographically insoluble coverage problem is presented by the Bend-Redmond-Prineville city group. Other examples abound throughout the mountainous west, in Appalachia, and in New England. Constraints of the Commission's spacing rules often require transmitter sites that are far from favorably located with respect to natural markets.

The conclusion one must draw from this is that the service of FM translators, especially those which provide "fill-in" service, must be provided with protection against interference from subsequently established low power FM stations, should these ever be established. The appropriate standards for determination of such interference should be the same as those in force for interference from other translators, as outlined in §74.1204(a)(3).



Benjamin F. Dawson III, P.E.

SIGNAL (km) (C) (M) (M) (D) MAP

Propagation mode: Longley Rice v1.2.2
 Time: 50.0% Inc: 50.0% Margin: 0.0 dB
 Climate: Continental Temperature
 Gndcvt: None
 Atm. Factor: None
 K Factor: 1.333
 Rx Antenna: Omni
 Height: 9.1 mtrs AGL Gain: 0.0 dBi

Field strength (at remote)
 > 70.0 dBuV/m
 50.0 to 70.0 dBuV/m
 < 50.0 dBuV/m

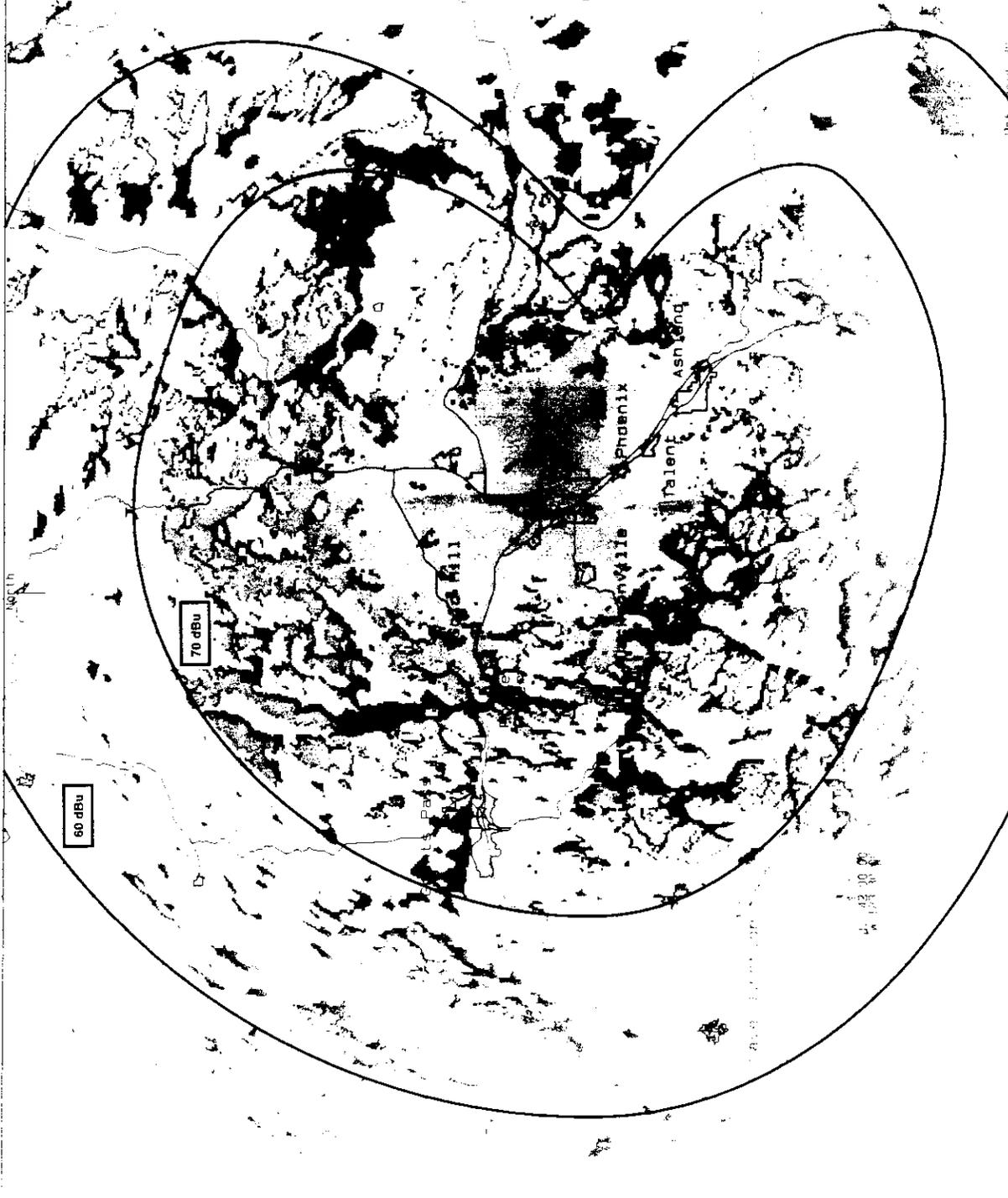
Minimum threshold level: 150.0 dBm

Site	Ant. Type	Ant. Type	Coordinates
KD0S	(dBS)	(dBS)	(Orient)
1908.0	43.08	04-4	N 40 22 56.00
96 9000 MHz			W 123 16 29.00

KILOMETERS
 0 5 10 20

VR06 245C Grants Pass
 Halford and Baker
 1/1/11





SIGNAL (Fm) ID: NMED MFC MAP

Propagation mode: Longley Rice v1.2.2
 Time: 50.00% Lbr: 50.00% Margin: 0.00
 Climate: Continental; Temperate
 Gender: None
 Alt. factor: None
 K factor: 1.333
 Rx Antenna: Omni
 Height: 9.1 mtrs AGL Gain: 0 dBd

Field strength (at remote)

> 70.0 dBuV/m
 60.0 to 70.0 dBuV/m
 < 60.0 dBuV/m

Minimum threshold level: -150.0 dBm

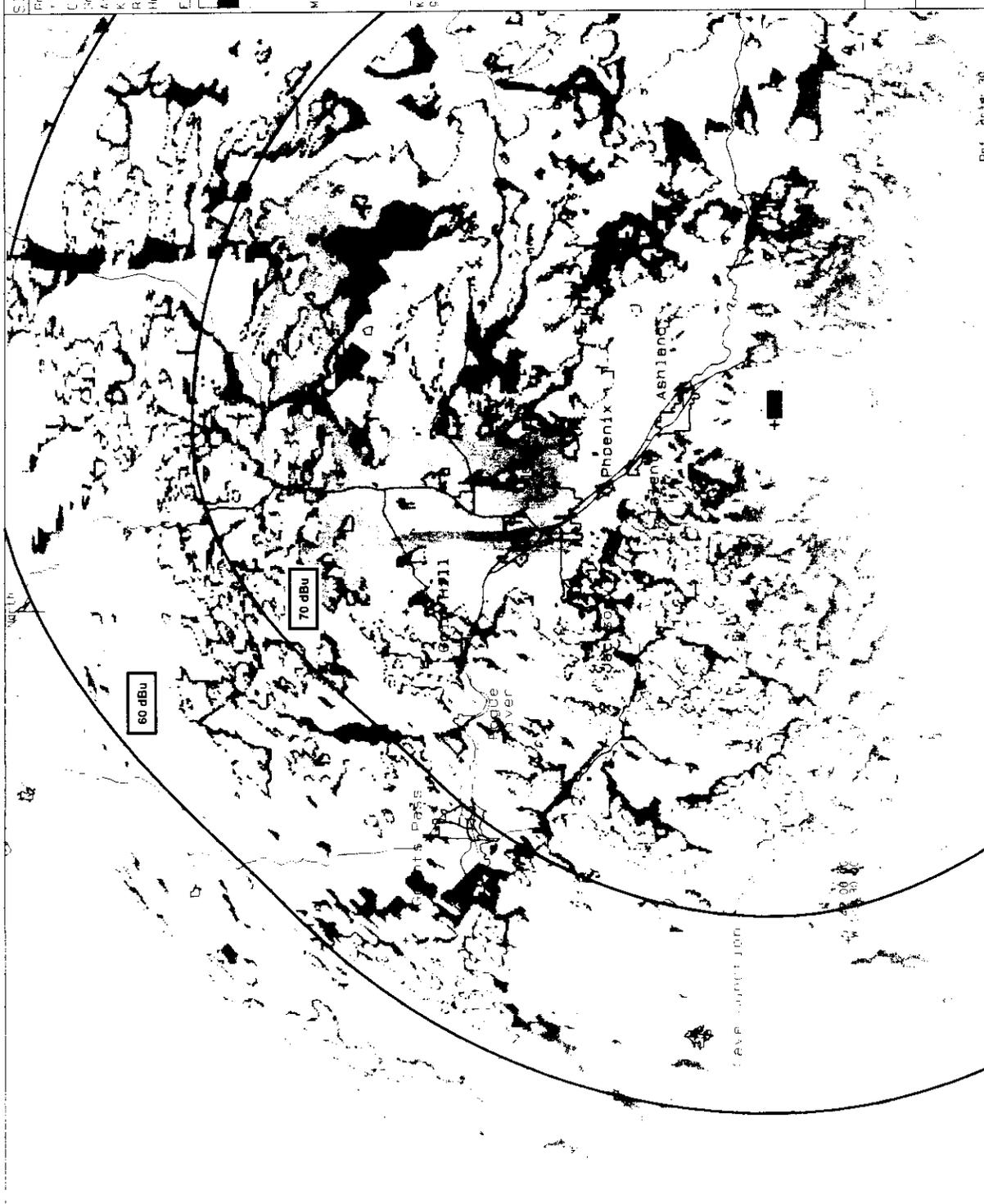
Site	Ant. Ely. AMSL (mtrs)	ERP (dBm)	Ant. Type / Orient.	Coordinates
KCMX	1194.0	45.05	OM V	N 42 17 54.00 W 122 42 59.00
Site 1	101.9060	MHZ		

KILOMETERS

0 10 20

KCMX 270C1 Ashland

Ray Fields and Lawson
 July 1988



SIGNAL (m) 2 MED MED MAF

Frequency: 229.0 MHz
 Power: 100 W
 Antenna: 1.333
 Height: 9.1 mtrs AGL Gain: 6.0 dBi

Field strength (at remote)

> 70.0 dBu/m
 60.0 to 70.0 dBu/m
 < 60.0 dBu/m

Minimum threshold level: 150.0 dBm

Ant. Elev. 600ft Ant. Type
 MSL (Meters) 2070ft
 Site: Phoenix, AZ
 KMTT 229C 42.91 MHz
 93.000 MHz

KTMT 229C Medford
 15 0 10 20
 KILOMETERS

KTMT 229C Medford
 15 0 10 20
 KILOMETERS

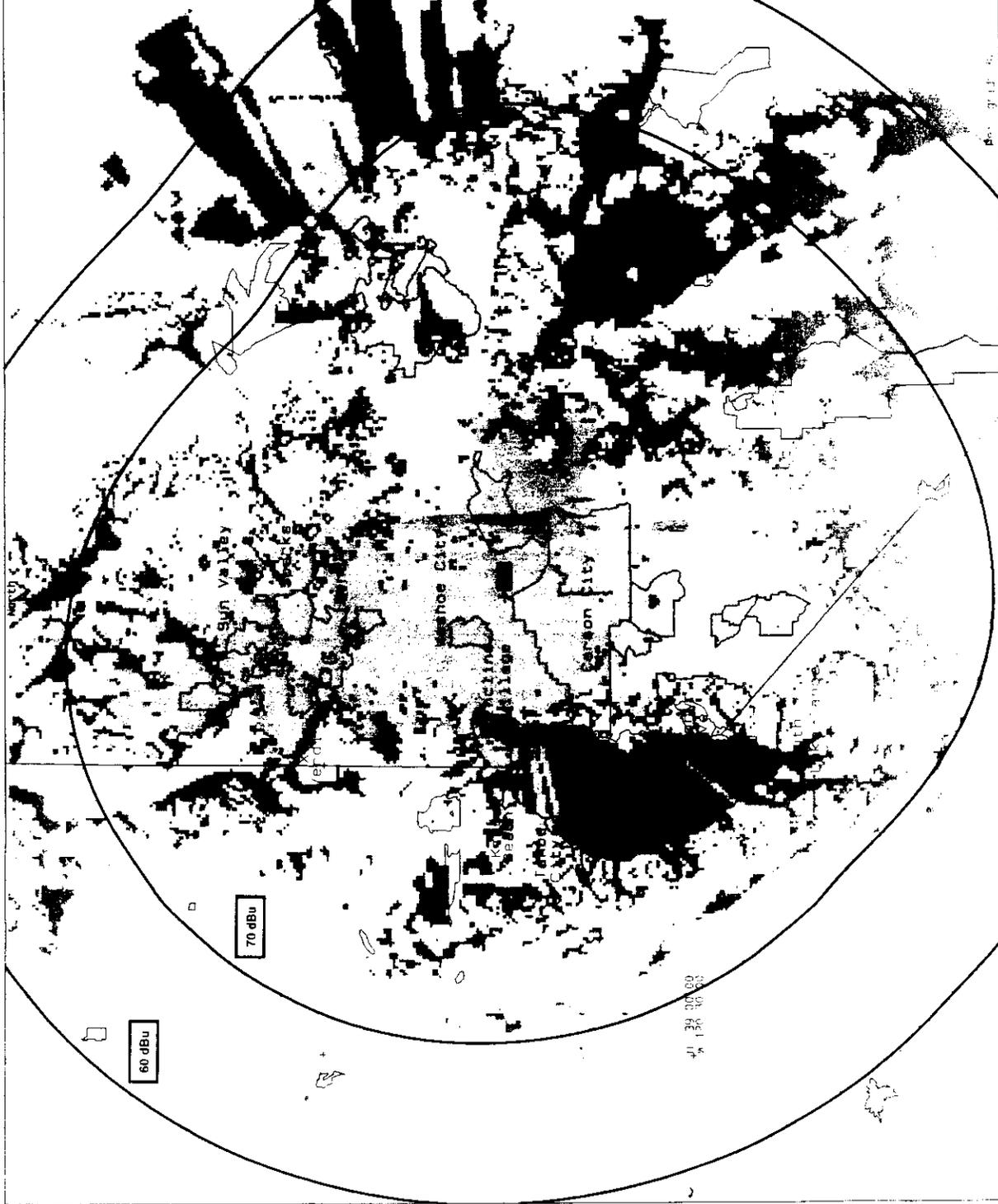
SIGNAL (tbl.D): REND-REMIC.MAP

Propagation model: Longley-Rice v1.2.2
 Time: 50.00% Loc: 50.00% Marg: 0 dB
 Climate: Continental, temperate
 Windy: None
 Atm. factor: None
 K factor: 1.333
 Antenna: Omni
 Height: 9.1 mtrs 43l Gain: 0 dBi

Field strength (at remote)
 > 70.0 dBu/m
 60.0 to 70.0 dBu/m
 < 60.0 dBu/m

Minimum threshold level: -150.0 dBm

Ant. Elev. ERPd Ant. Type
 ANSL (mtrs) (dBW) / Dir. Ant. Coordinates
 KWNZ * 2295 0.49 40 0M H N 39 15 21.00
 grp: 1 93 7000 MHz M 119 42 37.00



K11 - METERS
 10 9 10 20 30

KWNZ 247C
 Markfield and Lawson
 July 1998
 Exhibit

EXHIBIT B

Declaration of A. Thomas Quinn, attached.

DECLARATION

I, A. Thomas Quinn, hereby declare under penalty of perjury that the following is true and correct:

1. I am the President of the General Partner of Americom Las Vegas Limited Partnership, the licensee of, among others, Station KLCA(FM), Tahoe City, California, and its associated FM translator station K241AK, Verdi, Nevada; Station KRNO-FM, Reno, Nevada, and associated FM translator Stations K292EP, Incline Village, Nevada, and K257CW, Verdi, Nevada; and Station KWNZ(FM), Carson City, Nevada. I am also General Partner of Americom, a California Limited Partnership, licensee of Station KODS(FM), Carnelian Bay, California, and associated FM translator stations K267AA, Incline Village, Nevada, K269DB, Stateline, Nevada, and K285EQ, Verdi, Nevada. (Americom Las Vegas Limited Partnership and Americom, a California Limited Partnership are hereinafter referred to as "Americom".)

2. Three of Americom's four FM stations in the Reno-Carson City-Lake Tahoe area use "fill-in" translators to provide service to listeners within the stations' primary service area. Because of the severe weather conditions in the region during a typical winter, those translators provide essential road, weather and storm information to thousands of residents and visitors.

3. Despite Americom's best efforts and the work of its engineering consultants, Americom has been unable to locate transmitter sites which fully serve the stations' entire service area without the use of translators. The Sierra Nevada mountain range, along with several smaller mountain ranges in the region, create extensive shadowing of FM signals. Without translators, thousands of people -- including many who live along the north shore of Lake Tahoe and in the northwest section of the Reno area -- would not be able to receive Americom's broadcasts. At some locations translators provide the only reliable FM service.

4. Because of this, the state highway departments in both California and Nevada have posted Americom's translator frequencies on highway signs notifying motorists that they can tune to Americom's translators for critical road and weather information. Road conditions change rapidly and frequently during much of the winter, and information regarding tire chain requirements and road closures is very important to both residents and visitors.

5. Americom takes very seriously its responsibility to provide essential winter driving condition information, but will no longer be able to communicate that information to many of the areas most in need of receiving it if its translators are forced off the air. In addition, thousands of Americom's regular listeners will be deprived of Americom's service.

6. The terrain in the Reno-Carson City-Lake Tahoe region makes it impossible for any FM station to provide full coverage within its predicted city-grade contour, and the use of translators is crucial. If the Commission forces Americom's translators off the air Americom will not be able to serve much of its "primary" service area, and it is unlikely that the low-power stations which replace Americom's translators will have the resources to provide the kind of essential information Americom's stations now provide.


A. Thomas Quinn
Date: 7/30/89