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

In the Matter of	)	
	)	
Creation of a Low	)	MM Docket No. 99-25
Power Radio Service	)	
	)	RM-9208
	)	RM-9242
	)	
	)	

Comments of
Janice L. Banko
General Manager
WKAB-FM
212 Pine Street
Berwick, PA 18603

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BRIEF BIOGRAPHY

I am the General Manager of a 6000 WATT FM Station in Berwick, Pennsylvania. We are a stand-alone FM serving three local communities (Berwick, Bloomsburg and Hazleton). We have a local owner, and are community involved both as the owners and employees of the station, and as a station in general. I personally sit on the Board of Directors of the United Way, and many members of my staff are similarly involved. When we saw a need for better coverage of local news in the area, we hired a part-time news director and expanded our morning newscasts to provide that service.

We talk about every single event being held by churches and non-profit organizations that we learn about. We MC telethons for the Helping Hands Society and the American Cancer Society. We participate in numerous blood drives throughout the year for the American Red Cross. We were given a Media Recognition Award by the Mental Health Association of Columbia and Montour counties. We air a Sunday Morning community affairs program, through which we have given air time to Big Brothers and Big Sisters, the Berwick, Bloomsburg, and Hazleton Chambers of Commerce, the United Way, the Berwick Hospital Association, the Bloomsburg Hospital Association, and others. We have co-sponsored the American Cancer Society's Relay for Life for many years. And the list goes on. We are a small town radio station, and we are super-serving three communities.

I personally have been in the radio business for 20 years, all of that time working for locally owned and operated radio stations. I am also concerned about consolidation, and share the Commissions concern about local service. I only ask that you consider my comments and my overall concern that the Commission not jeopardize the service that is currently being provided by local radio stations like ourselves. Stations that are still

working hard to serve the communities in which we live and work. If Low Power FM stations flood the radio waves in our communities, stations like ours with a commitment to local service many no longer be able to provide it, from a financial standpoint. (It should be noted that despite a certain level of success in our communities, our owner still needs to financially support this station on a regular basis).

COMMENTS

A. Need for Low Power Radio Service

I understand the need for low power service but ask for protection for small, locally owned radio stations that are currently striving to serve the communities in which we live and work.

B. Spectrum Considerations

I suggest that the commission should not rush into this decision, but first do the research to make sure that the current spectrum is adequate to support current licensees, LPFM, and the developing IBOC service.

C. Technical Overview

<u>LP 1000 stations</u>

* In my opinion this service should either be NON commercial, or the LP 1000 stations should be subject to similar regulations as current commercial class A stations.

* LP 1000 should NOT have primary status against FM translator stations.

* The commission should prohibit translators and boosters for use with LP 1000 stations.

* Existing stations should be protected to the second and third channel adjacency if deemed necessary after research into this issue is completed.

* Known radio pirates should not be permitted to have low power stations, particularly LP 1000's. Don't reward the rule breakers.

* Set limits on the number of these stations that will be allowed in any given town or city.

* Allow broadcasters with a stand alone AM or FM, or a simple AM/FM combo to have one or two of the 1000 Watt licenses as a way to increase their local service to cities and towns on the fringe of their coverage areas.

LP 100 Stations

* LP 100 Stations should be non-commercial, for churches, schools and non-profit organizations.

* LP 100 should NOT be primary with respect to FM translators and boosters.

* The commission should prohibit translator/booster rebroadcasts of LP 100

programming to promote localism.

LP 10 Stations

* Should be Non-Commercial

* Number of stations in a geographic area should be limited, as the combined interference potential of too many operating on the same channel in the same area is significant. It could "garbage" the airwaves and defeat the purpose, as no one would be able to get any of them in clearly.

* The only merits to this extremely low power service are for fairs, festivals, and special events for informational purposes in a limited geographic area.

D. Interference Protection.

I am not an engineer and as such am not qualified to speak on this subject. I ask the commission seek the council of qualified people to help them make a determination as to the level of risk of interference from elimination of second- and third-channel adjacent channel restrictions. Since WKAB already has problems in our fringe coverage areas with interference from 103.1 in Freeland, this is my largest concern as a local broadcaster.

F. Ownership and Eligibility

I ask that the FCC consider allowing current owners of Class A FM or AM radio

stations the opportunity to have or run one or two LP1000 Stations to better enable them to serve their local communities.

WKAB serves three local communities: We are members of the Chambers of Commerce of all three. We provide local news service for all three. We have a full time Sales Rep serving each of the three communities. In my opinion, the definition of our market should be the three communities of Berwick, Bloomsburg, and Hazleton. I know that this market definition would be difficult to define for each station. That is why I submit consideration of limited ownership of LP 1000 stations by small market broadcasters.

* The Commission should definitely limit ownership to five or 10 stations nationally, and perhaps two or three locally. Otherwise you will have the same problem that you have with the current stations under consolidation.

G. Service Characteristics

* A call sign system SHOULD identify a low power station as such.

* Licensing party should be responsible for compliance.

* LP 100 and microradio stations should be shut down automatically if proven to cause actual impermissible interference.

H. Applications

I support electronic filing during short filing windows on a first come, first

served basis. A method needs to be established to notify interested parties sufficiently in advance of the deadlines.

SUMMARY:

My two main concerns about the proposed Low Power FM service are allowing them to be commercial licenses (If they are commercial, they should be subject to the same regulations as we are), and Interference on second and third channel adjacencies. My suggestions are as follows:

1.) Make sure all research on interference is done and protect existing stations to the second channel adjacency.

2.) For 1,000 Watt stations, either make them non-commercial, or regulate them in a similar fashion to the way we are now regulated.

3.) For 10 and 100 Watt stations, make them non-commercial only.

4.) Known radio pirates should not be allowed to have low power stations.

5.) Allow the licenses on a first come, first served basis. An auction would punish those without financial backing.

6.) Set limits on the number of these stations that will be allowed in any given town or city.

7.) Allow broadcasters with a stand alone AM or FM or a simple AM/FM combo to have one or two of the 1000 Watt licenses as a way to increase their local service to cities and towns on the fringe of their coverage areas.

I understand that one of the concerns of the commission is diversity in programming in any given market. I believe that the stations owned by larger corporations do provide this diversity in programming, and that it will be augmented by satellite and internet radio stations. A larger concern should be no jeopardizing the service that is currently being provided by the little guys that are still out here, trying hard to serve the communities in which we live and work.

Thank you for the opportunity to comment on your proposed rule making.

Respectfully Submitted,

Janice L. Banko

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