

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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

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COMMENTS ON NOTICE OF PROPOSED RULEMAKING

Cram Communications, LLC, ("Cram") the licensee of WSIV(AM), E. Syracuse, NY and WVOA(FM), DeRuyter, NY hereby submits the following comments on the Commission's proposal for the creation of a low power radio service. Cram's comments are divided into two sections; comments relating to the impact on its AM station WSIV and comments relating to its FM station WVOA.

AM IMPACT

1. As the licensee of WSIV a Class D daytime station, Cram is horrified with the Commission's proposal for a low power service. First, the proposal is hardly considered to be "low power" when in fact, the Commission has proposed a power level which will provide superior service and coverage to that of many AM stations especially those that are only authorized for a limited broadcast schedule.

2. The Commission in Appendix D of the NPRM listed a number of "rated" markets and the potential number of LP stations that could be authorized. In cities with populations between 50,000 and 200,000, the Commission has listed as many 13 LP1000's and 28 LP100's.

3. While these figures alone boggle the mind, imagine truly rural non-rated areas where only one or two AM stations exist and that an influx of so many LP stations would obliterate any listenership to the technically inferior AM stations. Has the Commission forgotten about the impact to the thousands of small AM stations, especially daytimers that will literally be swept under the rug by the establishment of LP stations that will have superior facilities to those of the affected AM stations? There can be no question that in a small rural area where there may be one or two AM stations and where one or both are daytime only operations, the inception of even a few not to mention a dozen or more full-time LPFM stations would mean the certain doom of these long-established AM stations.

4. The Commission has proposed that existing broadcasters may not participate in the low power service and therefore such an exclusion does not even give the small AM broadcaster any hope for survival.

5. The Commission must fully study the economic impact such a proposed service would have on the small market broadcaster. To not do so would blatantly mean that the Commission is not acting in the public interest as it relates to those AM stations which have provided decades of service to their communities.

FM IMPACT

6. As the licensee of WVOA(FM), a station which operates a number of fill-in translators, Cram is shocked by the Commission's proposal to allow LP1000 stations to have primary status. By definition, giving primary status to any class of LP station means that the very existence of secondary services is jeopardized. The granting of an LP1000 station could literally force a long-established translator off the air.

7. Many FM stations such as WVOA and especially in areas of rough terrain rely greatly on the existence of fill-in translators. Some fill-in translators provide service to isolated communities while others serve densely populated areas where the natural characteristics of the terrain block the reception of the primary signal. The cessation of even one translator can have a devastating effect on the viability of an FM station.

8. Although, it is true that translators have always been a secondary service and always subject to being bumped by a primary service, several factors have existed to minimize termination of a translator service. The vast majority of frequencies selected for translators are those that were not available for use by a full service station due to the fact that no fully-spaced site existed for the establishment of an allotment because the distance separations required in 73.207 could not be met. Also, stations that were able to locate translators on second and third adjacent channels with respect to their primary channel were protected by their own umbrella of spacing requirements.

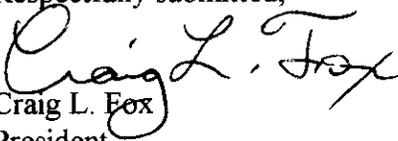
9. Both the proposal for LP primary status and the proposal to eliminate second and third adjacent channel protection threaten the factors that have previously protected the existence and operation of long-established fill-in translators.

10. Although, the Commission has stated that it may protect any existing translator service, the proposal certainly does not provide for the continued development of new fill-in translators either by existing stations or new full-power stations.

11. In summary, the Commission has: 1) not studied the impact that a low power service would have on small rural non-rated AM broadcasters and 2) not taken the

necessary steps to insure that existing fill-in FM translator service will not be disrupted
and that the opportunity for future translator development will be preserved.

Respectfully submitted,

A handwritten signature in black ink that reads "Craig L. Fox". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

Craig L. Fox
President

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July 30, 1999