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Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

The Honorable David Price
U.S. House of Representatives
2162 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Price:

Thank you for your recent inquiry on behalf your constituents, Wayne Jefferson, Vice President and General Manager of Clear Channel Broadcasting, and David Bradsher, President and owner of Roxboro Broadcasting Company. Messrs. Jefferson and Bradsher oppose the Commission's proposal to create a low power FM (LPFM) radio service. They are concerned that many small market radio stations which have been serving their communities well would not be able to survive competition with low power FM stations. They are also concerned that LPFM stations would be exempt from many of the rules applicable to full power radio stations.

The Commission initiated its proceeding to consider whether to authorize low power radio broadcasting on January 28. 1999. In a *Notice of Proposed Rule Making*, the Commission proposed to authorize new 1000 watt and 100 watt radio stations, and sought comment on a proposal to create a third class of stations at power levels from 1-10 watts. In adopting the *Notice*, the Commission stated that its goals are to provide new opportunities for community-oriented radio broadcasting, to foster opportunities for new radio broadcast ownership, and to promote additional diversity in radio voices and program services. We are also committed to protecting existing radio services and preserving the excellent technical quality of radio service available today, as well as avoiding any negative impact on the future introduction of terrestrial digital audio broadcasting

As discussed in the *Notice*, the Commission is concerned that radio station ownership consolidation may have a significant impact on potential new entrants into the radio broadcasting business by driving up station prices, thereby exacerbating the difficulty of entering the broadcast industry and of surviving as an independent operator. As also stated in the *Notice*, numerous demonstrations of interest in low power radio service indicate that new classifications of service could be outlets for new voices and program services to serve the public. Low power radio stations could, for example, be designed to serve an ethnic community dispersed throughout an entire city, as a supplementary commercial or noncommercial service, or simply as a low cost community service used principally to convey information to listeners, without concern for financial support.

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The Commission has long recognized that local broadcasters provide vital services to their communities in the form of local news, weather, public affairs, and other programming in the public interest. The Commission envisions that LPFM stations would supplement, not replace, the critical services already provided to the public by full-power radio broadcasters. The public interest obligations of applicants to operate new low power radio stations are addressed in the *Notice*. Because LP1000 stations would be primary and would potentially have substantial coverage areas, the *Notice* proposed to require them to adhere to the same public interest programming requirements as apply to full-power FM licensees. Noting that the very nature of such stations would ensure that they serve the public, the Commission also requested comment on whether LP100 or microradio class stations, which would be secondary and much smaller, should also have these obligations.

The *Notice* also addresses the other service rules applicable to LPFM broadcasters. Given the purposes and power levels of LP1000 stations, the *Notice* tentatively concludes that LP1000 licensees should generally meet the Part 73 rules applicable to full power FM stations. However, it invites comment on whether sufficient useful purpose would be served in applying each rule to these licensees. The *Notice* also invites comment with respect to the rules appropriate to LP100 stations and states a disinclination to apply the Part 73 service rules to microradio stations. In addition, the *Notice* proposes to treat low power radio stations like full power radio stations for purposes of applying our environmental rules under the National Environmental Protection Act and invites comment on how the political broadcasting rules should be applied to LPFM stations, taking into consideration our statutory mandate. The *Notice* also requests comment as to whether low power radio should be limited to noncommercial operation.

In order to help us ensure a high-quality record and facilitate the ability of parties to explore the many important issues in this proceeding, we recently extended the comment period in this proceeding by 60 days. Comments now are due August 2, 1999, and reply comments are due September 1, 1999. Based on its evaluation of the record created in this proceeding, the Commission will determine whether to authorize a low power radio service. The Commission will include the letters of Mr. Jefferson and Mr. Bradsher in the record of the proceeding and evaluate all comments thoroughly.

Thank you for your interest in this matter.

Sincerely,

Roy J. Stewart

Roy J. Stewart
Chief, Mass Media Bureau

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