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Before the  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of  
Proposal for Creation of the Low Power FM  
(LPFM) Broadcast Service

Docket No: MM Docket 99-25

RM-9208  
RM-9242

To: Federal Communications Commission

Comments of Lawrence J. Krudwig

Date: July 25, 1999

In general, I strongly support the proposed rules for the creation of a class of low power FM radio stations. The current rules for radio stations operating in the "FM" band have resulted in making it virtually impossible for all but the wealthy to be able to install and operate such a station. In many respects, the current rules would be similar to the Federal Government prohibiting the use of copy machines and/or small printing presses from publishing a newspaper. In addition, the consolidation of ownership has significantly reduced the diversity of programming and sources of local news, information, and public affairs.

Before addressing some of the specific items in this Proposed Rule Making (PRM), I want to voice strong opposition to the Commission's position in this PRM in Footnote 3, page 2, Section II, Background, regarding "event broadcast stations." I believe it would be a serious mistake not to include provisions for such services in these rules since they would be based on the same technical parameters and the same regulations with the exception of operating hours.

I support the provision for such stations based on the belief they can be an important service and potentially provide lifesaving information under the right conditions. My position is grounded in serving the people of this country for 34 years in the Federal Government in the field of warning and preparedness against natural and manmade disasters along with being a major contributor to helping the FCC create the new Emergency Alert System (EAS).

There is not a weekend in this country where people are drawn outdoors to festivals, shows, and a multitude of other types of events. More important, there is a very high concentration of these events during times of the year when and where severe weather is likely. The age and income demographics of the U.S. population, most notably retirees, are such that a significant percent of people are taking to the road for many weeks at a time to these events in campers that are much more vulnerable to weather. It is common for

these events to have as many as 15 to 25 thousand people, the size of many small and medium size towns, concentrated in camp sites of a size too large to reach by any other means. The rules for unlicensed low power devices do not permit sufficient power to ensure adequate coverage for these events.

People at such events will not know what, if any, local radio stations might be a source of important information. As long as it remains voluntary for radio, TV, and cable TV stations to broadcast weather or other types of warnings, event-based radio stations will be their only reliable source of lifesaving information. It is not financially reasonable or physically practical for event organizers to install systems to communicate with people in these environments other than through some sort of broadcast service. The use of an LPFM is ideal for this purpose.

Virtually all these people have radios in their camper, trucks, and cars or boom boxes at their camp site. Event publications can direct people where to tune their radios. Small stations of this type can provide valuable information even during a major power outage because the whole station can be powered off of a couple automobile batteries which cannot be said of the local radio stations that, in many cases, do not have backup power.

In addition to serving in the manner just described, such stations can be used by announcers at such events as air shows, races and the like without the need for massive ear splitting public address systems competing with the surrounding noise of the event. A simple pocket radio or headset type receiver is all that is needed.

Security personnel and local law enforcement agencies would be able to directly provide, important traffic information to people arriving or leaving such events that would not be covered by the local media or unknown to most attendees even if a local station covered the event.

For these and many more reasons I could list, I strongly recommend the inclusion of provisions in this PRM for Event-based LPFMs within the limits of the third tier or "micro" stations.

II., A, 9: I disagree with the comments of the NAB regarding diversity of programming. A sweep of the dial finds many stations going head-to-head with the same format, programming being fed by satellite from some point source, or the same news room supplying information and editorial comment to several stations in the same city.

In cities where there are enough different interests to collectively contribute to the support full power community-based stations, they have been rather successful. Smaller communities are denied this service because of the lack of enough similar resources to bring a full powered station on the air. Even in larger cities, more resources could be put into better programming if it was not spent on feeding the excesses of a full power station.

III., A, Items 10-14 and III., C, 3, Items 34-37: I support the concept of a secondary or "microradio" s service proposal along with the inclusion of provisions for Event-based Stations.

There is no reason to exempt these stations from a reasonable level of equipment certification. The science and technology are available today to build high quality yet affordable equipment that could be type accepted. The services of a qualified engineer to certify the station's broadcast signal should not be prohibitive.

III., B, Spectrum Considerations: While it may not be possible under existing assignments, the Commission should consider a goal for a cluster of frequencies for use by such stations. This might be achieved over time by collecting the desired frequencies as a larger station either goes off the air for whatever reason or ownership changes allowing for a reassignment.

III., E, Item 55, Bandwidth Limits: An LPFM should be allowed the same bandwidth to ensure equal quality of service to that of any other station.

III., F, Ownership: If the objective of this PRM is to be achieved, cross ownership should not be allowed and no person or entity should be allowed to own more than one LPFM. Additionally, majority ownership should be held by a local interest with primary residency within some reasonable distance of the LPFM station. A limit of 25 miles is reasonable.

III., G, Service Characteristics: Some local origination requirements should be set for all three of the proposed classes of LPFM. Not less than 50 percent would be a place to start.

These stations should be allowed some commercial programming but the amount should be limited to prevent them from becoming the electronic equivalent of a "classified shopper" type publication.

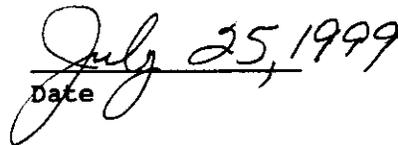
These stations should have minimum operating requirements the same as full power stations. If revenues from advertising or other sources are not sufficient to pay on air staff for all hours of operation, volunteers, are a source and should be willing to support such a station if there is enough interest in the format and service provided. In addition to their service function, the role of these stations should also be as a place to learn the skills of broadcasting. There are now or will be sources of inexpensive equipment or software programs allowing for locally originated programs to be provided in an unattended mode for periods of time throughout the broadcast day.

Item 87, Emergency Alert System (EAS): I agree with the inclusion of these stations in the EAS. However, second and third tier powered stations should not be totally exempt. While they will likely not be used as a monitoring source by other stations, as is intended by the Webb concept of the EAS, they can monitor other sources and provide potentially lifesaving information. A range of affordable EAS equipment with capabilities as required by full power stations can be made available. As a minimum, they should have a device that will allow for the interruption of programming to broadcast a message without EAS codes. These are available today at very reasonable prices.

Items 88 and 89, Inspections and Identification: Some form of station identification should be required along with the provision for inspections. Station call signs will help in locating and identifying stations not

operating properly ultimately resulting in a quality service and possibly removing a source of interference that could put public safety at risk.

  
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