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INFO-RADIO • 1440 AM

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July 28, 1999

Office of the Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: The matter of creation of a low power radio service.

MM Docket No. 99-25

**Comments of  
WNPV Radio, 1440 AM, Lansdale, Pennsylvania**

As a broadcaster for the past 22 years, I'd like to express my opinion on the creation of a low power radio service. For those past 22 years I have worked at WNPV Radio, a stand-alone AM station, in suburban Philadelphia. WNPV broadcasts with a two tower directional pattern at 2500 watts during the day and a separate three tower directional pattern at 500 watts at night. WNPV is located on the AM band at 1440 kHz. WNPV has been serving the residents of Montgomery and Bucks counties in Pennsylvania with local news, sports, public service, public affairs and other local programming for the past 39 years.

There are several reasons I believe that the creation of a low power radio service would not be in the public's best interest.

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## **1. The FCC is excluding existing broadcasters from applying for these new services.**

There are two concerns with this part of the proposal.

First, the FCC would be adding to the bureaucratic nightmare of managing the airwaves with this proposal. Unless the FCC has the manpower to investigate thoroughly every application, there will be existing owners who will find ways to invest in this market.

Certainly, other media owners should also be excluded, including cable, newspaper, television and the music industry as well.

Second, the FCC would be preventing experienced broadcast personnel from establishing viable stations in markets they are familiar with. A low power FM station could provide WNPV with coverage in areas that WNPV serves during the day but doesn't serve at night due to our power and pattern restrictions. A large part of programming at WNPV is local news and high school sports. There are several school districts in our broadcast area whose residents can't hear us at night, thus local programming for them is restricted.

Coverage of their sports teams is limited and school closings, due to the weather, are not circulated widely enough. Others may argue that this is one of the reasons why low power radio service is needed. The concern is whether these low power stations would have the capital, commitment to public service, and promotional opportunities necessary to provide these types of local programming.

## **2. Economic viability.**

Non-commercial or commercial these stations would deplete the public relation dollars local businesses make available to a variety of local organizations. These dollars are spread thin now and another organization knocking on the PR door would hurt everyone.

### **3. Interference with existing stations.**

To fit these stations into the spectrum, current interference standards will be adjusted, which will have a negative effect on existing stations. WNPV knows what it is like to receive interference, that is one of the reasons why we have to operate with a change in power/pattern at night. Our announcers can sit in a press box ten miles away on a Friday night and as the evening progresses hear a station hundreds of miles away clearer than our station.

### **4. Interference protection.**

Part of the intent of the proposal is to create additional broadcast facilities in urban communities and neighborhoods. In order to provide a minimum of broadcast sites in the top twenty markets in the country, an interference plan of no second and third adjacent channel interference protection must be adopted. This is not acceptable to broadcasters. Even with this interference plan there are no station sites available in two of the three largest markets in the country and only one site available in the largest Hispanic market in the country. This will not increase radio diversity in these areas.

### **5. Standards of operation.**

Any new station should be held to the same standards as existing broadcast stations. All stations should follow the same EAS regulations as full power stations. All stations should also have a public file and be responsible to file the same annual reports as existing stations.

## **6. Local programming.**

This proposed change is supposed to be an effort to provide new voices and local program content and services to the public. The question is whether these new broadcasters will have a genuine concern for providing quality local programming or will their focus be solely on the potential commercial and monetary value that such a license can mean. If the latter is the case, there will be another automated station with no local programming because they won't know how to serve the public and or extend the resources to provide quality coverage. The FCC will then have to enforce the programming regulations for these new stations.

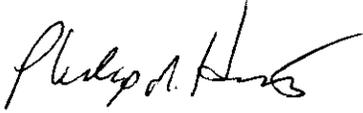
### **To summarize:**

- The proposal arbitrarily discriminates against all existing broadcasters. The proposal includes different ownership rules than currently exist. (As a matter of record, I believe the current ownership rules have not been in the public's best interest.)
- Competition is being increased among stations when some can't compete now.
- Additional stations will increase interference for existing stations.
- The goal of creating more diversity in urban broadcasting areas will fall short under this proposal due to limitations in interference plans.

Existing stations wishing to provide diverse ownership and programming currently have the opportunity to do just that. Recently a local community station, such as WNPV, was sold at auction. The group who purchased the station changed the station to a non-commercial station and changed the programming from full service to religious. That

type of transaction achieves just what you say you want to achieve, diversity in ownership and programming, and it happened without any new rules or stations.

Sincerely,

A handwritten signature in black ink, appearing to read "Phillip N. Hunt". The signature is fluid and cursive, with a prominent initial "P" and a long, sweeping underline.

Phillip N. Hunt  
Vice President and General Manager  
WNPV, Inc.