

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of:)
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Creation of a Low Power Radio Service) MM Docket 99-25
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To: FCC / Mass Media Bureau

Reply Comments in regards to MM Docket 99-25

Submitted by: Americans for Radio Diversity (ARD)

Americans for Radio Diversity (ARD) is a nonprofit organization, composed of concerned radio listeners and consumers, dedicated to promoting community orientated public and commercial broadcasting. In interest of this purpose, ARD submits the following comments in response to comments currently filed in the MM 99-25 proceeding.

Response to Comments filed by Amy Waggoner, President and GM of KQRS, Inc. (KQRS, KXXR, KZNR/T/Z) dated May 20th, 1999:

In the KQRS, Inc. comments Waggoner expresses concern about the proposed LPFM service compromising the technical integrity of the FM band. One has to look only to licensed low wattage translators to see that this concern is overblown. I will take an example from KQRS, Inc.'s local market of Minneapolis / St. Paul. In that market a new translator station has recently hit the airwaves operating at 90.7 MHz (translator K214DF). This station operates at 10 watts and an HAAT of 182 meters. This station is placed closely on the dial to KFAI-FM (90.3 MHz, 120 watts, 136 meters) and KNOW-FM (91.1 MHz, 100 kilowatts, 400 meters). The fact that these stations coexist interference free only strengthens the case that a LPFM service can work. Why the FCC can license this low power transmitter, that repeats programming originating from Oregon, but can not currently license a station of similar specification that would broadcast local originating programming, is a question that has not been clearly addressed in the KQRS, Inc. comments.

Waggoner also argues that the LPFM proposal will not meet its goal of creating diverse ownership. To quote the KQRS, Inc. comments: "The FCC argues that such service will improve opportunities for diverse broadcast ownership. However, due to lack of usable frequencies, few low power FM stations would be authorized in the largest urban markets with the most diverse populations." This argument is flawed in two ways. First it assumes the lack of available frequencies in metro-areas. As discussed above, if this is the case how are translators and booster stations still being licensed? The argument also assumes that diverse people of differing racial, cultural, and ethnic backgrounds do not exist in rural areas. This is of course not the case. That aside, it can even be argued that members of the same marketing demographic are also diverse in many ways. Does the the 45

year old white male living in Michigan's Keweenaw peninsula have the same radio programming needs and wants as the 45 year old white male living in the Appalachian foothills? Likely not. Would one of them operating their own low power community station increase ownership diversity? Yes.

Waggoner further states that "Current ownership does an outstanding job of meeting the public's expectations." If this were the case, how does one explain the formation of ARD and other like minded organizations? Why was there a sharp increase in low power "pirate" broadcasters after the passage of the Telecommunications act of '96? Why have listener studies shown a decline in the past seventeen years? It is hard to fathom that the FCC LPFM proposal would even have been issued if the public's expectations were being met.

Finally, Waggoner mentions her stations public affairs programming record. A detail that was omitted is that these weekly 30 minute programs often air in the very early AM hours on a Sunday morning, when the listening audience can be assumed to be at a low level, a practice that is common with almost every local commercial station.

Sincerely,

Glenn Austin, ARD member and community radio volunteer
Jeremy Wilker, co-founder ARD

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