

ORIGINAL

MM 99-25

JOHN M. McHUGH
24th DISTRICT, NEW YORK

EX PARTE OR LATE FILED



Congress of the United States

House of Representatives

2441 Rayburn House Office Building

Washington, DC 20515-3224

July 30, 1999

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The Honorable William E. Kennard
Chairman
Federal Communications Commission
1919 M Street, S.W.
Washington, D.C. 20554

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AUG 23 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

*MMB
1 P. Radio
4/127*

Dear Mr. Chairman:

I am writing with regard to the enclosed correspondence I received from Mr. David Mance, President/General Manager of The Radio Broadcast Group in Watertown, New York, concerning the FCC's proposal to license new low power FM radio service.

I understand the concerns which have been expressed about the impact the proposal would have on small broadcasters, as well as the points he makes about how many stations in rural areas, in particular, currently do serve the communities where they are located, unlike larger broadcast owners.

I encourage you to take his concerns into full and careful consideration during development of a final decision in this matter. We must ensure that our rural broadcasters and residents are not detrimentally impacted.

Thank you for your time and assistance.

Sincerely yours,

J. M. McHugh
John M. McHugh
Member of Congress

JMM/jmb
Enclosure

Aug 10 9 42 AM '99

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199 Wealtha Ave.
Watertown, N.Y. 13601
Phone (315) 782-1240
Fax (315) 782-0312

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July 15, 1999

Congressman John McHugh
2441 Rayburn House Office Bldg
Washington, D.C. 20515

Dear John:

I am enclosing a copy of my letter to the Federal Communications Commission opposing LPFMs. I have had problems with low power stations in the past as outlined in our comments to the Commission and I'm sure the proposed addition of hundreds of new low power FMs will make things worse.

Thanks for your continued support opposing this FCC legislation.

Sincerely,

David Mance
President/GM

WTOJ-FM 103.1/WWLF-FM 106.7/WATN AM-1240/WOTT-FM 100.7/WBDR-FM 102.7



199 Wealtha Ave.
Watertown, N.Y. 13601
Phone (315) 782-1240
Fax (315) 782-0312

July 14, 1999

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

Re: MM Docket No. 99-25

Dear Secretary:

I am the President and owner of the following stations: WTOJ, Carthage, NY, WATN, Watertown, NY, WOTT, Henderson, NY, WWLF-FM, Copenhagen, NY, WBDR, Cape Vincent, NY and WCDO AM/FM, Sidney, NY.

I am opposed to the LPFM proposal for numerous reasons. First and foremost is the potential interference factor from such stations. Our FM station in Sidney, NY was the recipient of such interference when the FCC allowed translator W265AX on the air on the same frequency with 50 watts in Binghamton, NY forty miles from our tower site. The interference caused a degradation in our signal with numerous listener complaints. After much protesting, the FCC reversed their decision and forced the translator to re-locate. Will there be such remedies under the LPFM proposal? Such LPFMs will cause the same problems for existing stations.

Small markets will be affected the most severely...the mom and pop stations that still exist will have 1000 watt stations that will in essence cover the same limited population areas that we need to survive. Many of my stations are in communities with less than 5000 people in them. There's not enough room for additional competition in such arenas.

Following the Docket 80-90 increase in FM signals there was also a significant decrease in the news commitment and Public Affairs programming by radio stations. I believe that was the direct result of cuts in personal and payrolls because of the increased competition. More competition doesn't always mean more diversity or more news, PA, etc.

The Communications Act of 34 requires broadcasters to act in the public's interest, convenience and necessity. That, at least in part, has been interpreted to mean the broadcaster should disseminate objective local news and public affairs. It is obvious to all that news and public service broadcasting requires a large direct labor component. Direct labor translates to available resources. If the resources in our typical small market are increasingly fragmented, the ability of all

WTOJ-FM 103.1/WWLF-FM 106.7/WATN AM-1240/WOTT-FM 100.7/WBDR-FM 102.7

radio broadcasters to perform local news and public service would be compromised instead of expanded.

It also seems to me to be a probability that the new owners of LPFM operations would be largely single issue types...people who wish to promote their point of view exclusively. For example, limited view advocacy groups would be interested in having a channel. So would political organizations, religious sects, etc. It would seem that the fairness aspect of their LPFM operations would be very limited and not in the publics' best interest, convenience and necessity.

IN ESSENCE, the creation of LPFM will be the creation of a "CB" band on FM frequencies!!!

Sincerely,


David Mance
President