MM99-25

JESSE HELMS
NORTH CAROLINA

EX PARTE OR LATE FILED

United States Senate

WASHINGTON, DC 20510 3301

ORIGINAL

MMB
1 prime
H3H

August 11, 1999

RECEIVED

AUG 2 3 1999

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Respectfully referred to:

Ms. Sheryl J. Wilkerson
Federal Communications Commission
Room 808
1919 M Street, NW
Washington, D.C. 20554

Because of the desire of this office to be responsive to all inquires and communications, your consideration of the attached is requested. Your findings and views will be appreciated by

Jesse Helms

JESSE HELMS, U.S.S.

Please direct to the attention of:

Cady Thomas
Office of Senator Jesse Helms
403 Dirksen Office Building
Washington, D.C. 20510
(202) 224-6342

No. of Copies rec'd 2
List ABCDE

BONNEVILLE
INTERNATIONAL
CORPORATION

Broadcast House
55 North Third West
P.O. Box 1160
Salt Lake City, Utah 84110-1160
Phone (801) 575-7530

J. Talmage Ball
Vice President
Engineering

Senator Jesse Helms
Senator of North Carolina
United States Senate
Washington, D.C. 20515

The Honorable Senator Helms

I have been an engineer in the broadcast industry for nearly 25 years. I am presently employed with Bonneville International, a respected broadcast corporation that owns 17 stations. In Washington, D.C. our company owns and operates WTOP-AM/FM news radio, WGMS-FM classical radio and WWZZ-FM a top forty pop radio station. I'm sure you or members of your family enjoy at least one of these stations.

I am writing because I have some concerns with a new regulation that the FCC is working on passing. From an engineering standpoint this could be a major disaster for the broadcast industry, for public rights to listen to their favorite radio station, the future transition of radio to digital in this country and for the viability of the Emergency Broadcast System (EAS) as we now know it.

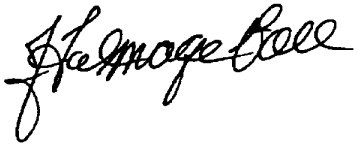
The FCC chairman, Mr. Kennard, would like to issue many new low power, 100 watt and 1000 watt radio station licenses to minorities and comjunity organizations to give them a chance to get into the business of broadcasting. The project is known as Low Power FM (LPFM). I believe he wants to do this to leave a legacy of something done for the underprivileged. Though this is an admirable legacy to leave, the idea has some technical engineering problems that you should know about. The project will sandwich new low power stations in between existing stations on your radio dial, crowding the band even more than it is now.

There are two areas this will affect U.S. radio listeners:

First:
Mr. Kennard has asked his staff to perform tests to see if the inclusion of multiple new stations packed closer together on the radio dial would cause interference problems. We have met with engineers on his staff and have discovered that the scientific method is not being used to fully determine the true impact. The tests being performed by FCC engineers intentionally exclude the radios that would be affected by the packing of the band. The best explanation for ignoring this segment of radios, I think, would be to move this agenda forward with seemingly clean engineering data. Only car radios and the more expensive boom-boxes, those above $150 dollars are being used in the FCC tests. We know from tests made by the National Radio Sub Committee of the Digital Audio Broadcasting Committee (NRSC/DAB), that nearly all table radios, personal walkman type radios, battery operated radios, clock radios, etc. will not reject the signals from stations that are 2nd and 3rd adjacent on the radio dial. If the LPFM project is passed into law, a large segment of existing radios will cease to be usable. The public that cannot afford the more expensive radios will not be able to listen to their favorite radio station anymore. This could affect all classes of American citizens. If you wake up each morning to a clock radio and live in the Washington, D.C. suburb areas even you and members of your family could most certainly experience much more distortion, noise and interference and possible total loss of your favorite station.

Second:
The United States stands alone as the last developed country in the world to decide on and begin installing a digital radio broadcast system. Due to military needs, we are not permitted to migrate digital radio to the L-band frequencies as is being done in many other countries. The S-band was proposed for the U.S. The S-band frequencies are very high and require line-of-site from transmitter to radio receivers to be able to enjoy a good signal. Most engineers believe there is little chance of success of using the S-band for broadcast radio in the U.S.. We are working on a way to migrate to digital radio in the U.S. and remain in the existing broadcast band.

I am a member of the NRSC/DAB committee that is working on a great solution to incorporate digital radio into the existing broadcast band. The solution is called IBOC (in band on channel). There are three major manufacturers or proponents that almost have systems ready for the United State's broadcast band. The most critical tests yet to be performed by IBOC proponents on their systems are the field tests, which, among other things, but most importantly, will test the interference of the new digital IBOC systems to existing analog stations that are next to or near the IBOC stations on the radio dial. All three IBOC systems that have been proposed, extend the frequency band of the broadcasting station, although under the mask, far beyond the classical analog bandwidth. This expanded bandwidth may, and most likely will to some degree, interfere with 2nd and 3rd adjacent stations on the radio dial. Interference from other 2nd and 3rd adjacent stations could also reduce the viability of the new digital IBOC system or nullify its use altogether. This is a serious area to research prior to implementing LPFM and has major implications in protecting the 2nd and 3rd adjacent broadcast stations in the digital future. The FCC, however, has proposed that they will make a decision before these field tests are fully performed and evaluated. Their time frame for comments and reply to comments is dangerously short, unlike the typical thoroughness of the FCC process. This just doesn't make sense! If the U.S. installs LPFM before IBOC has been field tested, and these tests ultimately prove that the IBOC and LPFM are not compatible, the U.S. will be the only country in the world left without a digital radio system. IBOC seems to be our only hope for improved quality of radio sound, increased data capabilities, improved EAS capabilities, etc. If this administration damages the future of IBOC by flooding the band with numerous low power interfering signals, it could take years of embarrassing, visible and celebrated efforts by congress and future FCC administrations to sort out the mess. The legacy left by this FCC administration would be recorded in history as a shortsighted one.

Once again, the FCC has placed this project on a "fast track" comment and reply schedule. Your efforts in discussing this issue with your colleagues would be appreciated. I would welcome any comments or questions you might have concerning this important proceeding.

Thank You,