

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 jointly by "The Named State Broadcasters Associations", including 45 states and Puerto Rico, dated August 2, 1999.

In the first section of their main comments (II. part A), the Associations contend that allowing any low-power stations to operate will "inevitably" cause "extensive interference" to current full-power stations. They cite, without specifying how much interference under what circumstances, tests by the National Association of Broadcasters. We understand that a study done by the FCC did not come to nearly such a negative conclusion. Let us not forget that a standard LP100 station would have one-tenth of 1% the power of a full class C station, and at a lower antenna height as well.

The Associations also quote some comments filed in this proceeding by broadcasters concerned about interference. These mostly seem unsubstantiated or overblown. It should be noted that a specific complaint of second-adjacent channel interference, caused by a "pirate", is to a small class A station of 1,150 watts; also one cannot assume that said "pirate" is operating within the same standards an authorized LP station would.

We recognize the importance of signal integrity for FM stations within their protected contours, but the Commission should make adjustments to its signal spacing requirements for this service based on reasonable data. If significant interference is likely for the most ambitious possible scenario suggested by the FCC (second adjacency to all current classes allowed for all LP classes), that does not justify prohibiting low-power in any combinations of adjacency or station classes where such interference is not a threat.

The Associations argue (in II. part C) that LPFM will harm current public service programming through increased economic pressure on full-power broadcasters, and even cause greater consolidation in the industry. They assume competition "for the same listening audience and the same finite sources of advertising dollars". This ignores the possibilities of attracting listeners who find little of interest on today's stations, or small businesses who find current ads too expensive.

It is also worth asking how much real economic impact the more common LP100 station might typically have on full power neighbors. Indeed, the Associations themselves contend just a few pages later that "Low power FM stations ... will

not be able to provide the public with the quality programming and strong signals" they expect (due to limited range, experience, and budget).

The Associations' comments express particular concern for smaller stations in smaller markets, citing several comments filed by such broadcasters, fearing hardship. We feel such concerns can be addressed in how the FCC structures the low-power service, such as one-to-an-owner and local ownership rules like those we advocate in ARD's filed comments in this proceeding.

In conclusion, ARD feels that overall the State Broadcasters Associations' arguments against the creation of Low Power FM are exaggerated out of proportion. We support the reasoned establishment of a workable low-power service by the Commission.

Respectfully,
Casey Torgerson, ARD member