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September 15, 1999

REPLY COMMENTS

COMES NOW JOHN J. (Joe) TIBILETTI, WHO AS INDIVIDUALLY AND AS PRESIDENT AND CHIEF STOCKHOLDER OF COMMISSION LICENSEE COSMOPOLITAN ENTERPRISES OF VICTORIA, INC., RADIO STATION KTXN-FM, 98.7 MEGAHERTZ AND 100 KILOWATTS , CLASS C1, HEREBY ASKS THE COMMISSION CONSIDERATIONS OF THE MATERIAL CONTAINED HEREIN.

Commentor asks for consideration of the statements made herein, albeit without full supporting documentation that might exist from the original and cited sources. In the interest of time, references are made to original sources, and in most cases petitions, comments, reply comments, and other cited. Any limitations as to data from these sources are the origin and not implied as from the commentator.

RADIO RECEIVER CONCERNS

1. The electronic manufacturer arena is represented by the Electronic Manufacturers Alliance. This private trade agency is responsible for the reporting of manufacturer and sales of electronic equipment of all types in the public sector-- everything from radio to CD, DVD, VCR, etc. The sector is cited herein for the reason that a lot of controversy about the modern receivers to discriminate between the FM two stations on carrier frequencies two and three channels removed from each other. Why this is brought up is this: it is alleged by the proponents of low power fm radio that there is no problem separating the signals of these two and three removed channels. ..
2. There are several cases where this is a major concern. Commentor did a class project paper on the subject of FM radio in the early 1960s as part of his studies in Radio-TV at the University of Houston(Texas). One of the major problems in the 1940's and 1950's was the inability of receivers to separate the signal of a station e.g. on 92.1 from 92.5 megahertz in the same area. The FCC set up a table of allocations for the 1950's, only to be dropped by the latter part of the decade in favor of a signal contour overlap concept. The lowest power level station in those days was a 1,000 watts and 150 feet, which was expanded to 3,000 watts and 300 feet as part of the new rules of allocations as contained in docket 14185, which was issued in 1963, with a re-engineered table of allocations and mileage distances for co-channel, first, second and third adjacent channels. More about the coverage later on, however, sufficiency to say the matter of receiver getting the right signal from the undesired was settled for the most part... For many years the issue was never brought up of receivers. Stations operated in a new interest arena of FM radio , which was slowly replacing the lojg established standard broadcast band stations--in circulation, listening and service.

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The matter of second adjacent channel and third adjacent channel has not come up in allocations until the introduction of the docket suggesting the introduction of low power fm radio stations in concept and operations. There was no information presented to the listening public as to the characteristics of the radio receivers to separate signals in the same area. There was no need. Today, with the alleged scarcity of open frequencies, it is very critical to find these new found treasures of potential gold. advertising dollars. Information as supplied by the EIA has shown per the submission of comments of Bonneville Broadcasting and National Association of Broadcasters, which is based upon studies --the only known public ones at that--of receiver discrimination characteristics that not all radios are capable of splitting these stations on second and third adjacent channels. The web page of EIA specifically has an article from its house organ showing grave concern as to the adequacy of the receivers of the table, portable jambox, and the transistor --a type where many of the general public depend upon in the event of emergencies for information vital to their safety --types in fulfilling this feat. This is further borne out in the comments of Bonneville as to an existing station in Washington DC, which it owns and suffers from third adjacent channel reception problems in buildings in its home city of license. It is highly recommended that all radios in interstate commerce be required to pass standards of performance that will permit stations three channels away from interfering with each other in reception. See the comments of Bonneville for complete information.

INTERFERENCE CONSIDERATIONS

1. It is said by the proponents of low power FM radio that there have been no complaints of reception by stations that are according to the table of allocations and prescribed distances short spaced. This is mis-leading for the reason that the station in question in most cases have been around for years, as a conforming station to all rules of spacing, but found themselves short spaced as the commission enlarged the co channel distances. For example, if one had a pre-1960 one kilowatt station with 150 feet, he would have been able to increase to a 3, kilowatt and 300 feet in 1964, and then to 6 kilowatts and 300 feet in the 1980's. But this supposes that there are no other stations in the way. The FCC has stated that it is concerned with service. The reason for lack of complaints of short spaced stations may well be explained by the fact that there was an audience there all along --they did not take a service area from another station. The cotrary is the case with the proposed low power FM by doing away with the taboos. There certainly will be case where existing stations will lose territory to the new 10, 100, or 1000 watt stations.
2. The filing of Cue Paging, a sub channel user of FM signals directed at the trucking industry, raises serious concerns as to the potential impact of new low power FM stations on the existing sub carriers. This should be investigated, as no data is available at the moment to answer the questions involved...There are several users of sub-channels, that provide needed services to the blind, etc. that are not available elsewhere. Further the matter of inter-modulation between the low power and full fledged stations is also very important, as these new proposed stations can blank out

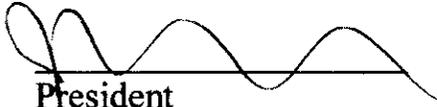
the signals of existing stations, not just in the capture area close to the transmitter site, but well within the protected area of service for the existing station. And for other services.....sheriff radio, taxicab radio, paging, etc. Further technical restraints must be imposed on the new service, for their entrance will add to the already existing problems.

3. Shockley Broadcasting of Nevada, suggested that the matter of the limit of useful service -- 45 dbu -- be used instead of 60 dbu as the protected contour of an existing station. Commentor agrees and feels this must be looked at as well as the signal strengths needed to serve areas--before new signals limit existing stations. If receivers need to be studied, it should also be the case for signal strength.

LOW POWER RADIO SERVICE -- WHERE PERMITTED

1. Commentor feels that low power FM radio stations -- those with less than 1,000 watts be permitted under the following conditions: (a) educational uses with powers of 10 watts minimum, (b) local programming in areas where a translator is the only local signal transmitting--e.g. Lockhart, Texas 99.9--for local sports, religious programs, local news, etc. (c) up to 1,000 watt FM stations in areas which are part of a sub-urban area or an area which lost out in a rulemaking to another location--e.g. Waelder, Texas. (d) stations aimed at a specific small target audience, e.g. travel radio as is the case in Charlotte NC., (e) stations for temporary service to un-served minorities, e.g. Vietnamese in Austin, Texas.--til audience is served by a full time and full fledged station. (e) religious stations who can demonstrate a threshold of at least 25 per cent of audience is of their faith.....
- 2.. There should be no chain operations of low power stations, as there shall be only one to a customer an owner and operator, nor can they be sold to any larger group, they must be kept for 3 years, nor may they be a part of a local marketing agreement with any non-low power operator. The commercial portion of the FM band, that is from 92.1 megahertz to 107.9 shall be used solely for commercial operators of low power stations, while the non-commercial portion from 88.1-91.9 shall be exclusively for non commercial stations.
4. There shall be no interference caused by low power, nor may any be received. There will be numerous calls of listeners concerned that there is a weak signal. Allowing for interference will only weaken the industry.
5. Instead of using the FM band for low power, should it be needed at all, the vacant and unused VHF channels should be used, with both odd and even jumps between them, with both horizontal and vertical polarization being used. E.g. 49.1, 49.2 megahertz, etc.
6. Submitted,

- Cosmopolitan Enterprises of Victoria, Inc.
7. Radio Station KTXN-FM
 8. John J. (Joe) Tibiletti

A handwritten signature in black ink, appearing to read 'John J. Tibiletti', written over a horizontal line.

President

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