

October 15, 1999

Mass Media Bureau
Federal Communications Commission
Room 2-C334
445 12th Street, SW.
Washington, DC 20554
RE: MM Docket 99-25

Good Day,

I have been sporadically following the process of your *Notice of Proposed Rulemaking* for a Low Power FM Service. Visiting your web site today and viewing some of the negative reaction to your proposal, however, has motivated me to comment. I'm particularly disturbed by the negative comments coming from non-commercial broadcast stations and related organizations. While I would expect negative comments from commercial broadcasters, I'm somewhat puzzled by the same interference fears coming from the lower side of the FM band.

However, listening to some of the "non-commercial" (and I purposely put that term in quotes) stations in some of the larger markets, particularly the Los Angeles market where I listen, will soon give you an idea of why there may be opposition coming from this camp as well. One NPR affiliate here routinely pulls out all the stops for pledge drives. The general manager gets on the air and pitches, threatens, whines, and whimpers. There is every conceivable type of gimmick, sweepstakes, contest, challenge, and "premium," offered to induce a contribution. It sounds to me like this is simply commercial radio in a different package at 89.9 megahertz. And, like their commercial counterparts, some non-commercial outlets may feel threatened by the prospect of other signals that might present some additional competition.

Having the perspective of a former radio broadcaster, both commercial and non-commercial, I feel that objections to your proposal from full-power broadcasters are based much more on fears of competition than fears of interference. Your exhaustive technical evaluation, my personal experience with a 10 watt college FM station, and common technical sense, indicate that interference with high-power existing signals will be a non-issue, particularly in the many medium and small markets where the vast majority of the new LPFM stations will presumably be licensed.

Since the elimination of ownership limitations in recent year, the commercial FM spectrum has turned into a mindless, repetitive morass owned by the big corporations. If you've heard one "Star," "Mix," "Arrow," "Kiss," "Power," or "Lite," you've heard them all. The market adjustments and forces that we've all hoped for don't apply... the cost of acquiring a license and signal are reserved only for those with deep pockets (no thanks to your auction process, I might add). Any organization out of the commercial mainstream can't even hope of ever having a voice. It's beyond their financial means. The variety of

offerings of fledgling Internet Radio stations is a perfect example of the benefit of a low-cost media opportunity.

Your sensible proposal will, at least partially, begin to return the airwaves to the public to which they belong. I strongly urge you to see through the empty and baseless objections being raised by high-power broadcasters and approve the new Low Power FM service.

Kindly allow me to give brief comments on issues related to this proposal:

- **The third "Microradio" class should be included.**

This will allow municipalities, hobbyists, schools, and other organizations to benefit from the service without undue financial or technical hardship.

- **Existing pirates should not be automatically excluded.**

By automatically excluding them (especially those that caused no interference), aren't you saying, "You knew that properly configured low-power FM wasn't going to be a problem before we acknowledged it. But, now that it's legal, we're going to punish you"? Because the legal license process for them was not even remotely possible, now that it is, you're going to exclude them. The logic of this completely escapes me.

- **Prohibition of translation of a full-power station is an absolute must.**

The last thing we need are Jacor and Infinity snapping up every LPFM license to just spread their pabulum a little further into the countryside or neighborhood.

- **LPFM should not be primarily aimed at, or limited to, educational institutions.**

These institutions already have ample opportunity to present a signal to the public. The small community college in my hometown in Wyoming managed it. A high school in another small Wyoming town succeeded. There are so many other types of organizations that can also benefit. Don't exclude them.

- **Commercial broadcasting should be allowed, but there should be STRICT licensing/ownership restrictions to prevent frequency hoarding.**

This is a noble concept, of which I admit mixed feelings. However, these licensees will already be at a distinct disadvantage because of the limited range of their offering. I see no harm in allowing them to recoup their investment or turn a profit. But, ownership absolutely must be limited to ensure the initial spirit and purpose of the proposal.

- **Auctions and competitive bidding to resolve mutual exclusivity is unacceptable... the FCC does not own the ether to be given to the highest bidder. First-come, first-served, a lottery system, or another process to give even footing to deep and shallow pockets alike must be implemented.**

Granting a license to the highest bidder flies directly in the face of the purpose of the proposal. I'm flummoxed by the concept of "government turned into a for-profit auctioneer of the radio spectrum."

Thank you sincerely for your consideration of my comments.

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