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Before the Federal Communications Commission
Mass Media Docket 99-25
Re: Matter of Proposed Low Power FM Radio

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September 16, 1999

Supplemental reply comments Number two

JOHN J. (JOE) TIBILETTI,COSMOPOLITAN ENTERPRISES OF VICTORIA AND RADIO STATION KTXN-FM HEREBY SUBMITS THE ATTACHED SUPPLEMENTAL REPLY COMENT TO THE ABOVECITED DOCKET.

Divesture of existing AM Co-located Station

1. Under no conditions should any operator, either present or future, of a standard broadcast radio station, upon filing for or obtaining constructive ownership by any means, be required to divest ownership of the AM station provided that the low power fm facility is to be used as a fill in for either limited or non existent night coverage area of this AM station.

Restrictions on low power ownership

2. Under no circumstances can the ownership of low power fm radio stations per this docket be transferred to any party who is a stockholder in, or an employee of a group of radio stations regardless of their locations. Neither may the owner of a low power fm radio station have ownership of more than one station of its class in the protected coverage area. No local marketing agreements allowing for the use of the facility in any way as to time brokerage, coverage, etc. may be entered into with any of the parties or organizations mentioned in this paragraph. The owner of a low power fm station must live in its protected coverage area and must be able to monitor the signal from their home with a regular receiver meant for that purpose. No translator or repeater of the signal of a low power radio station will be allowed, nor shall the low power radio station originate or carry programs that are otherwise making up a regional network. The frequencies for studio to transmitter links as defined in the part 74 of the rules and regulations of the commission are not available for use by low power fm stations. The studio equipment, transmitting equipment, and other emergency activation equipment shall be required to meet all standards of regular standard and frequency modulation radio stations. Owner shall be required to satisfy all complaints of interference to existing stations at its expense, and monthly make a report to the commission as to complaints and their resolution. Studios are required to be located within the 100 d b u contour and antenna and tower facilities shall be

omnidirectional and satisfy all requirements of the tower licensing and regulations of the Federal Communications Commission and Federal Aviation Administration as well as state ad local ordinances relative to codes of building and electrical nature.

3. The commission shall require emissions of transmitters used in low power to be more critically maintained and for a period of the first three months of operations a log of the transmitter parameters shall be maintained with readings taken every three hours. A chief operator shall be designated and shall hold a license given for this purpose which shall encompass the areas of study necessary to maintain equipment of the type for low power radio stations. All equipment to be utilized shall be type accepted by the commission.

4.

No Preference for operation for other stations

5. No operation of a low power fm radio station shall be considered as a preference to obtain a power increase to a regular classification station.e.g. C3,C2,C1,etc. Should any operator wish to apply for a regular classification, he shall be required to follow all procedures for a new station and facility--regardless of whether or not his operations were on same frequency as low power --herein defined as the equivalent of 1,000 watts and 85 meters and less.

6. All reports and fees as required by regular non low power fm stations shall be accessed to low power operators. Operators shall be encouraged to attend classes on the operations of businesses.

Submitted
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Pro se and as President
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