

**ORIGINAL****EX PARTE OR LATE FILED**

**From:** Lee Knoper <baja\_az@juno.com>  
**To:** K2DOM.K2PO1(GTRISTAN),K4DOM.K4PO2(MPOWELL,SNES),K...  
**Date:** Sun, Nov 14, 1999 8:40 PM  
**Subject:** MM Docket 99-25

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

[Ref: Low Power FM Radio Licensing (RM-9242 & RM-9208)]

Please note that I generally favor allowing microradio operations (especially a license-free class of 1 to 10 watt stations), with the following qualifications:

- Top priority should be given to First Amendment interests. Spectrum is increasingly being bought up or controlled by those who have an overt [so-called] "Establishment" political agenda or purely commercial interests. The voice of Liberty is being lost in the shuffle.
- Second priority should be given to entities having a public service orientation, including research, education and cultural interests.
- I am concerned about the possible commercialization of microradio, but if commercial interests are to be allowed to obtain licenses, then:
  - a) small businesses should be given elevated consideration,
  - b) the licensee must reside in the service area,
  - c) only one license per entity, and
  - d) program material must reflect local interests and not be slaved to outside sources or advertisers.
- The issue of primary versus secondary status is troubling, since even with microradio the monied interests could conceivably displace micro stations by expanding their power level or coverage area.
- The Ham radio model of self-policing and of technical and operational support is preferable; reliance on the FCC should be an option of last resort. To implement this model, microstations should be required to broadcast information concerning the Point of Contact.
- In the case of LP-100 and LP-1000 stations, the application process must be simple and the licensing fees affordable. Licenses should permit individuals as applicants and not be restricted to incorporated entities.
- Accomodation should be made for LPFM in the transition from analog to digital broadcasting.

Thanks in advance for your favorable consideration of these comments.

Lee Knoper  
 2510 E Towner St  
 Tucson AZ 85716-2117

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**ORIGINAL****EX PARTE OR LATE FILED**

**From:** north <"north"@fog.seattleantioch.edu>  
**To:** K1DOM.K1PO1(BKENNARD),ROUTE\_A.GWIA1("mec@tao.ca","...  
**Date:** Thu, Nov 11, 1999 10:45 PM  
**Subject:** In Support of the MEC Letter on MM Docket No. 99-25

=To: The Honorable William E. Kennard Chairman,  
 Commissioner Gloria Tristani,  
 Commissioner Michael Powell  
 Commissioner Susan Ness  
 Commissioner Harold Furchgott-Roth  
 Federal Communications Commission  
 The Portals 455 Twelfth Street S.W. Washington, DC 20554  
 cc: President Clinton, Hillary Clinton, Vice President Al Gore  
 cc: Microradio Empowerment Coalition

**RECEIVED****NOV 15 1999**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

MM Docket No. 99-25  
 Regarding The Creation of Low Power FM Licenses: RM-9242, RM-9208

Dear Honorable Chairman Kennard,

We are writing to commend you and the Federal Communications Commission for taking action on an issue of great importance to us - ending the 21-year ban on community access to the airwaves. We have become increasingly concerned about the growing concentration of the media in our country and are pleased that the Commission is responding to public outcry to increase opportunities for local communities to use our radio airwaves.

One of the fundamental tenets of our democracy is to ensure that diverse interests have opportunities to express themselves, not merely to be the recipients of what a handful of other people tell them. It is a nonnegotiable component of our right to a free press and free speech.

Radio is perhaps the most qualified of any media outlet to provide community access. It is a relatively inexpensive medium to produce and is well-suited to cover community issues and local culture. Unfortunately, over the past three years the U.S. radio broadcasting industry has experienced an unprecedented wave of consolidation and mergers. As a result, the electronic medium best suited to inexpensive, local programming has become arguably the most regimented and centralized of our major media. Even a multimillionaire would have trouble entering the radio broadcasting industry today, because economies of scale (permitted by deregulation) demand that a firm own numerous stations in several markets to be even remotely competitive. As for the person of average means, their lot is limited to being a passive consumer of an increasingly monopolistic industry that has less and less competitive pressure to heed the diverse, local needs of listeners. And, for poor people and others who are considered unimportant to the advertising community, radio increasingly has little to offer. Again, the great tragedy of this situation is that radio is the ideal medium to provide an accessible local service for democratic communications of interest and value to the entire population.

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The strong interest in independent radio stations shows that the creation of low power radio service would have wide public support. The tremendous demand for microradio is demonstrated by the emergence of a national Free Radio Movement, widespread civil disobedience, constitutional challenges of the Commission's aggressively enforced 21-year ban, as well as the proliferation of unlicensed community radio stations supported by local government, whose operators broadcast at the risk of financial losses, seizure of property, arrest, and in some cases, imprisonment.

In addition, the Commission has stated that in the last year alone, 13,000 people inquired regarding the possibility of obtaining a license for low power broadcasting in their communities.

In support with the efforts of the Microradio Empowerment Coalition ([mec@tao.ca](mailto:mec@tao.ca)), we urge you to legalize microradio in order to benefit non-commercial community groups whose interest in microradio is to communicate, to educate, and to inform, not to make money. We are confident you agree that broad citizen access to information and culture is at the heart of a democratic society.

To support this vision, we urge you to legalize microradio with the following concerns in mind:

1. Microradio licenses should be awarded for non-commercial use only. The current radio spectrum is dominated by commercial media. LPFM licenses should go to non-commercial community groups who want to use radio to communicate with their neighbors, not make profit from them.
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4. The Commission should NOT diminish new low-power stations to "secondary status." It would be a tragedy to take away licenses from low-power community stations just because the Commission subsequently granted a power increase to a pre-existing station or granted a new high power license somewhere nearby.
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11. Within two years new spectrum space (including any future digital spectrum space) should be allocated for continued expansion of microradio broadcasters so that any community group that wishes to broadcast has access to available spectrum space (frequencies). Further, all manufacturers of consumer radio receivers for sale in the United States should be required to include this spectrum set aside for microradio broadcasters.

12. Licensing fees should be affordable to all communities.

Again, we commend Chairman Kennard and the Commission for your willingness to address these issues. We are hopeful that the creation of a new class of low power FM radio licensing becomes a reality during the Chairman's present term. We look forward to working on making the airwaves more accessible for our local communities.

Signed,

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Steering Committee:  
Sara Zia Ebrahimi, Philadelphia  
Diane Fleming, Philadelphia  
Peter Franck, San Francisco  
Amanda Huron, Washington, D.C.  
Alan Korn, San Francisco  
Greg Ruggiero, New York City

Noam Chomsky--Massachusetts Institute of Technology  
Howard Zinn--Professor Emeritus, Boston University

Nancy Kranich--Librarian  
Ron Daniels--Executive Director, Center for Constitutional Rights  
George Gerbner--Founder, Cultural Environment Movement  
Edward Herman--Wharton School, University of Pennsylvania  
Janine Jackson--Fairness and Accuracy in Reporting  
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Dan Simon--Founder, Seven Stories Press  
Barbara Ehrenreich--Author  
Gloria Steinem--Ms.  
Mumia Abu-Jamal--Journalist  
Kurt Vonnegut-- Author

## Additional Comments=

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EX PARTE OR LATE FILED

**From:** <Larita0198@aol.com>  
**To:** K2DOM.K2PO1(GTRISTAN),K4DOM.K4PO2(MPOWELL,SNES),K...  
**Date:** Thu, Nov 11, 1999 10:29 PM  
**Subject:** In Support of the MEC Letter on MM Docket No. 99-25

To: The Honorable William E. Kennard Chairman,  
Commissioner Gloria Tristani,  
Commissioner Michael Powell  
Commissioner Susan Ness  
Commissioner Harold Furchgott-Roth  
Federal Communications Commission  
The Portals 455 Twelfth Street S.W. Washington, DC 20554  
cc: President Clinton, Hillary Clinton Vice President Al Gore,  
Bill Bradley, and George Bush, Jr.  
cc: Microradio Empowerment Coalition

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Barbara Ehrenreich--Author  
Gloria Steinem--Ms.  
Mumia Abu-Jamal--Journalist  
Kurt Vonnegut-- Author

Lara Knudsen  
2324 SW Mitchell St.  
Portland, OR 97201

**ORIGINAL**

EX PARTE OR LATE FILED

**From:** William McMullin <dagwood9@earthlink.net>  
**To:** K2DOM.K2PO1(GTRISTAN),K4DOM.K4PO2(MPOWELL,SNES),K...  
**Date:** Thu, Nov 11, 1999 6:21 PM  
**Subject:** In Support of the MEC Letter on MM Docket No. 99-25

=To: The Honorable William E. Kennard Chairman,  
 Commissioner Gloria Tristani,  
 Commissioner Michael Powell  
 Commissioner Susan Ness  
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Dan Simon--Founder, Seven Stories Press  
Barbara Ehrenreich--Author  
Gloria Steinem--Ms.  
Mumia Abu-Jamal--Journalist  
Kurt Vonnegut-- Author

Additional Comments=  
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=Send to FCC

**ORIGINAL**

**From:** Michael Perelman <michael@ecst.csuchico.edu>  
**To:** K1DOM.K1PO1(BKENNARD),ROUTE\_A.GWIA1("mec@tao.ca", "...  
**Date:** Thu, Nov 11, 1999 3:29 PM  
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In addition, the Commission has stated that in the last year alone, 13,000 people inquired regarding the possibility of obtaining a license for low power broadcasting in their communities. In support with the efforts of the Microradio Empowerment Coalition ([mec@tao.ca](mailto:mec@tao.ca)), we urge you to legalize microradio in order to benefit non-commercial community groups whose interest in microradio is to communicate, to educate, and to inform, not to make money. We are confident you agree that broad citizen access to information and culture is at the heart of a democratic society.

To support this vision, we urge you to legalize microradio with the following concerns in mind:

1. Microradio licenses should be awarded for non-commercial use only. The current radio spectrum is dominated by commercial media. LPFM licenses should go to non-commercial community groups who want to use radio to communicate with their neighbors, not make profit from them.
2. Licenses should be held locally, be non-transferable, affordable to all communities, easy to apply for and limited to one per license holder; they should NOT be businesses.
3. Power levels should be up to 100 watts in urban areas and up to 250 watts in rural areas.
4. The Commission should NOT diminish new low-power stations to "secondary status." It would be a tragedy to take away licenses from low-power community stations just because the Commission subsequently granted a power increase to a pre-existing station or granted a new high power license somewhere nearby.
5. The Commission should grant full amnesty for the microbroadcast

pioneers who have suffered government seizure and fines. Their property should be returned. They should be granted equal opportunity in applying for and receiving new licenses.

6. Problems, technical or otherwise, should be referred to the local voluntary micropower organization for assistance or mediation (e.g. the Ham radio model). The FCC should be the forum of last resort.

7. LPFM must be protected and maintained in the future as radio makes the transition from analog to digital broadcasting.

8. If the FCC intends to license some commercial stations, they must be licensed last. In this instance, there should be a 2 year "headstart" for non-commercial licenses. The right of citizens to communicate is protected by the Constitution and the FCC's mandate. The right to make money through local radio is not a protection under the FCC's mandate.

9. Stations should be locally programmed. However recorded materials such as music, poetry, documentaries, features etc. may be used. Sharing of program materials and resources among micro and community stations is strongly encouraged. No more than 20% of air time from off-site feeds or syndicated tapes.

10. Licenses should be awarded to unincorporated non-commercial associations, and non-profit organizations.

11. Within two years new spectrum space (including any future digital spectrum space) should be allocated for continued expansion of microradio broadcasters so that any community group that wishes to broadcast has access to available spectrum space (frequencies). Further, all manufacturers of consumer radio receivers for sale in the United States should be required to include this spectrum set aside for microradio broadcasters.

12. Licensing fees should be affordable to all communities.

Again, we commend Chairman Kennard and the Commission for your willingness to address these issues. We are hopeful that the creation of a new class of low power FM radio licensing becomes a reality during the Chairman's present term. We look forward to working on making the airwaves more accessible for our local communities.

Signed,

MEC Honorary Chair:  
Robert W. McChesney, Madison

Steering Committee:  
Sara Zia Ebrahimi, Philadelphia  
Diane Fleming, Philadelphia  
Peter Franck, San Francisco  
Amanda Huron, Washington, D.C.  
Alan Korn, San Francisco  
Greg Ruggiero, New York City

Robert W. McChesney-- University Of Illinois, Urbana

Noam Chomsky--Massachusetts Institute of Technology  
Howard Zinn--Professor Emeritus, Boston University  
Nancy Kranich--Librarian  
Ron Daniels--Executive Director, Center for Constitutional Rights  
George Gerbner--Founder, Cultural Environment Movement  
Edward Herman--Wharton School, University of Pennsylvania  
Janine Jackson--Fairness and Accuracy in Reporting  
Mark Crispin Miller--New York University  
Laura Flanders--national producer for Pacifica Radio  
David Barsamian--Director, Alternative Radio  
Elaine Bernard--Harvard Trade Union Program  
Al Lewis--Organizer ("Grandpa" from the Munsters)  
Dee Dee Halleck--Deep Dish TV  
Ben Bagdikian--University of California, Berkeley  
Loretta Ross--Executive Director, National Center for Human Rights Education  
Carl Jensen--Founder, Project Censored  
Ellen Braune--Publicist  
Jamie Love--Director, Consumer Project on Technology  
Dan Simon--Founder, Seven Stories Press  
Juliet Schor--Harvard University  
Herbert Schiller--Professor Emeritus, University of California, San Diego  
Barbara Ehrenreich--Author  
Gloria Steinem--Ms.  
Mumia Abu-Jamal--Journalist  
Kurt Vonnegut-- Author

Additional Comments=The radio is a wasteland of sameness. It offers the most reasonable opportunity for a diversity of opinion than any other medium with the exception of the internet.

name=michael perelman  
street=729 liberty lane chico  
city=ca 95928  
state=  
zip=  
=Send to FCC

**ORIGINAL** EX PARTE OR LATE FILED

**From:** jim <jimbry@rocketmail.com>  
**To:** K1DOM.K1PO1(BKENNARD),ROUTE\_A.GWIA1("mec@tao.ca","...  
**Date:** Mon, Nov 15, 1999 12:46 AM  
**Subject:** In Support of the MEC Letter on MM Docket No. 99-25

To: The Honorable William E. Kennard Chairman,  
 Commissioner Gloria Tristani,  
 Commissioner Michael Powell  
 Commissioner Susan Ness  
 Commissioner Harold Furchgott-Roth  
 Federal Communications Commission  
 The Portals 455 Twelfth Street S.W. Washington, DC 20554  
 cc: President Clinton, Hillary Clinton, Vice President Al Gore,  
 Bill Bradley, and George W Bush  
 cc: Microradio Empowerment Coalition

**RECEIVED****NOV 15 1999**FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

MM Docket No. 99-25  
 Regarding The Creation of Low Power FM Licenses: RM-9242, RM-9208

Dear Honorable Chairman Kennard,

We are writing to commend you and the Federal Communications Commission

for taking action on an issue of great importance to us - ending the 21-year ban on community access to the airwaves. We have become increasingly concerned about the growing concentration of the media in our country and are pleased that the Commission is responding to public outcry to increase opportunities for local communities to use our radio airwaves.

One of the fundamental tenets of our democracy is to ensure that diverse interests have opportunities to express themselves, not merely to be the recipients of what a handful of other people tell them. It is a nonnegotiable component of our right to a free press and free speech.

Radio is perhaps the most qualified of any media outlet to provide community access. It is a relatively inexpensive medium to produce and is well-suited to cover community issues and local culture. Unfortunately, over the past three years the U.S. radio broadcasting industry has experienced an unprecedented wave of consolidation and mergers. As a result, the electronic medium best suited to inexpensive,

local programming has become arguably the most regimented and centralized of our major media. Even a multimillionaire would have trouble entering the radio broadcasting industry today, because economies of scale (permitted by deregulation) demand that a firm own numerous stations in several markets to be even remotely competitive. As for the person of average means, their lot is limited to being a passive consumer of an increasingly monopolistic industry that has less and less competitive pressure to heed the diverse, local needs of listeners. And, for poor people and others who are considered unimportant to the advertising community, radio increasingly has little to offer. Again, the great tragedy of this situation is that radio is the ideal medium to provide an accessible

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local service for democratic communications of interest and value to the entire population.

Awarding licenses for new low power FM radio stations would empower local communities with a new public forum to express its many voices, cultures, ideas, and needs. Low power radio stations would create much needed public fora for a variety of groups - including community activists, youth, ethnic and linguistic minorities, the religious community, local artists and cultural associations - and provide a forum for dialogue and debate about important local and public interest

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Signed,

MEC Honorary Chair:  
Robert W. McChesney, Madison

## Steering Committee:

Sara Zia Ebrahimi, Philadelphia  
Diane Fleming, Philadelphia  
Peter Franck, San Francisco  
Amanda Huron, Washington, D.C.  
Alan Korn, San Francisco  
Greg Ruggiero, New York City

Robert W. McChesney-- University Of Illinois, Urbana  
Noam Chomsky--Massachusetts Institute of Technology  
Howard Zinn--Professor Emeritus, Boston University  
Nancy Kranich--Librarian  
Ron Daniels--Executive Director, Center for Constitutional Rights  
George Gerbner--Founder, Cultural Environment Movement  
Edward Herman--Wharton School, University of Pennsylvania  
Janine Jackson--Fairness and Accuracy in Reporting  
Mark Crispin Miller--New York University  
Laura Flanders--national producer for Pacifica Radio  
David Barsamian--Director, Alternative Radio  
Stewart Eweb -- Author  
Gary Ruskin, Director, Commercial Alert  
Elaine Bernard--Harvard Trade Union Program  
Al Lewis--Organizer ("Grandpa" from the Munsters)  
Dee Dee Halleck--Deep Dish TV  
Ben Bagdikian--University of California, Berkeley  
Loretta Ross--Executive Director, National Center for Human Rights  
Education  
Carl Jensen--Founder, Project Censored  
Ellen Braune--Publicist  
Jamie Love--Director, Consumer Project on Technology  
Dan Simon--Founder, Seven Stories Press  
Juliet Schor--Harvard University  
Herbert Schiller--Professor Emeritus, University of California, San  
Diego  
Barbara Ehrenreich--Author  
Gloria Steinem--Ms.  
Mumia Abu-Jamal--Journalist  
Kurt Vonnegut-- Author

James Bryant  
154 Grove St.  
Norwell, Ma. 02061

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ORIGINAL

DK-99-25

**From:** "Sandi" <sandi@pdrpip.com>  
**To:** K1DOM.K1PO1(BKENNARD)  
**Date:** Wed, Nov 3, 1999 1:09 PM  
**Subject:** Fw: RFPR on low power FM

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NOV 15 1999

-----Original Message-----

**From:** Sandi <sandi@pdrpip.com>  
**To:** bkinnard@fcc.gov <bkinnard@fcc.gov>  
**Cc:** gtristan@fcc.gov <gtristan@fcc.gov>; mpowell@fcc.gov <mpowell@fcc.gov>; sness@fcc.gov <sness@fcc.gov>; hfurchtg@fcc.gov <hfurchtg@fcc.gov>  
**Date:** Tuesday, November 02, 1999 3:20 PM  
**Subject:** RFPR on low power FM

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

This letter is to officially ask you and other members of the commission how can you insure that women and minorities will be the actual recipients of a low power FM frequency with the proposed micro service? The 1996 Telecom Act requires that any available construction permit for a commercial frequency be auctioned.

If I were an owner of a large automobile dealership in Albuquerque, for example, I would definitely bid for a frequency. Then, I would work with a satellite provider service and advertise my product in every commercial break.

Please make your response short and to the point.

Also, may I remind you that the two biggest issues in this proposed rulemaking are interference and how the service will hamper the radio industry's efforts to convert to a digital delivery system. Should low power become a reality, I am going to suggest to my friends in large market stations that their technicians program the stations' main switchboard with a speed dial number that sends a disgruntled listener's phone call directly to FCC offices in Washington (listeners will assume that the interference is the fault of the station they are making an effort to tune in to). If you don't believe me, wait until FCC phone lines light up (this is not a threat, just a reality check)!

Thank you for your immediate response.

Sandi Usrey Bergman  
 Bergman Broadcasting Co., Inc.  
 Portales, NM  
 sandi@pdrpip.com

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