

July 15, 1999

William E. Kennard
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

MM 99-25
RECEIVED MEDIA ACCESS PROJECT
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OFFICE OF THE CHAIRMAN
Re: MM Docket No. 99-25
(Low Power Radio)

Dear Mr. Chairman:

I am writing to request guidance on what background materials should be submitted to the Commission in conjunction with technical reports and comments in the low power radio proceeding, MM Docket No. 99-25.

If the Federal Communications Commission is to meet its goal of building a full record, it must insure that participants in the low power radio (LPFM) proceeding will provide all interested parties with the information necessary to review engineering studies and technological submissions in the short period provided for replies.

Under the Commission's revised filing schedule, comments are due August 2, 1999 and reply comments are due September 1, 1999, allowing only one month for replies during the summer vacation period when it is difficult to obtain expert consultation. We have discussed the schedule in this proceeding with our engineering consultants and others on whom we rely. They advise that it will not be possible to submit meaningful reply comments unless all data submissions from LPFM studies include the information necessary to reproduce the studies efficiently.

The Commission's LPFM Notice of Proposed Rulemaking requests that parties submit technical studies, but does not specify precisely what kind of supporting materials should be included. It is our expectation that significant technical justification, grounded in fundamental theory or common engineering practice, should be provided for all assumption or analysis methods. We anticipate that all elaborate technical details on measurement data will be provided so that they may be recreated independently. Submissions should include the technical details of all data processing as well as statistical data analysis. Furthermore, all assumptions and parameters involving analysis, measurement, or simulation needs to be delineated clearly, such that all conclusions can be independently verified.

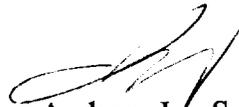
In light of the short time period available for preparation of reply comments, we ask that the Commission advise those filing comments what steps they should take to insure that this information is immediately available to all other interested parties.



Accordingly, we ask that the Commission clarify by public notice or other statement, its expectations as to the materials it expects to be included with comments at the time of filing. In addition, we request that the Commission state that a party's failure to supply such submissions will not be the basis of any further extension of time in this proceeding.

We have discussed our concerns with attorneys representing the National Association of Broadcasters and the Consumer Electronic Manufacturers Association, and they agree that the technical material in this proceeding should be provided to all interested parties as quickly as possible.

Sincerely,



Andrew Jay Schwartzman
President and CEO

cc: Harold Furchtgott-Roth, Commissioner
Susan Ness, Commissioner
Michael K. Powell, Commissioner
Gloria Tristani, Commissioner
Dale Hatfield, Chief, Office of Engineering and Technology
Roy W. Stewart, Chief, Mass Media Bureau