

ORIGINAL

MM 99-25

DISTRICT OFFICES:
4434 AMBOY RD., 2ND FLOOR
STATEN ISLAND, NY 10312
(718) 356 8400
(718) 356 1928 (FAX)

9618 FOURTH AVENUE
BROOKLYN, NY 11209
(718) 630 5777
(718) 630-5388 (FAX)

Congress of the United States
House of Representatives

Vito Fossella

13th District, New York

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CAPITOL OFFICE:
431 CANNON BUILDING
WASHINGTON, DC 20515-3213
(202) 225-3371
(202) 226-1272 (FAX)

E-MAIL ADDRESS:
vito.fossella@mail.house.gov

November 5, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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The Honorable William B. Kennard
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Kennard:

I want to express my concern that the Federal Communications Commission (FCC) appears to be moving too quickly with respect to the establishment of Low Power FM radio service (LPFM). I am troubled by the Commission's failure to engage in sufficient technical analysis to enable it to fully understand the consequences of its current proposal, particularly with respect to proposed modifications to FCC interference protection criteria. In addition to the effects the FCC's plan could have on existing broadcasters, I am also very concerned about the interference that will be received by the new LPFM stations themselves, and indications that community groups receiving LPFM licenses will, in reality, be unable to provide the level of service they have been led to expect.

I am troubled that hasty action on the part of the Commission will result in great disappointment to LPFM broadcasters. I understand that technical studies have shown that under the current proposal, new LPFM stations will receive a great deal of interference from existing broadcasters. This means that these new stations will not be heard throughout their intended service areas, and licensees who spend what little resources they have to build the necessary facilities for their stations will be severely harmed and disappointed because they cannot reach the audience they believed they would be able to serve.

Moreover, establishing this new LPFM service would create substantial interference to existing broadcast operations. The interference protections that the Commission has proposed to eliminate have historically been believed to be necessary to preserve the integrity of the FM service. I am concerned that eliminating these protections will result in loss of service to thousands of listeners, who will then be unable to receive local news, advertising and weather reports from their favorite FM station.

Finally, I am concerned that LPFM will retard the development of In-Band, On-Channel (IBOC) digital radio service. The proponents of IBOC digital radio have spent years developing their systems based on current FCC standards. I fear that any reduction of the second-adjacent channel spacing restrictions could seriously harm radio broadcasters in their transition to digital

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service.

I urge you and your fellow Commissioners to take the time necessary for the appropriate staff to gather and review the technical information in a comprehensive manner.

Thank you for your attention to this important matter, and I hope to hear from you soon.

Sincerely,

A handwritten signature in black ink, appearing to read "Vito J. Fossella". The signature is stylized, with a large initial "V" and a distinct "F".

Vito J. Fossella
Member of Congress