

January 12, 2000

Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth St., SW
Washington DC 20554



Re: *Ex Parte* presentation in MM Docket 99-25

Dear Ms. Salas:

Yesterday, I met with Thomas Power, advisor to Chairman Kennard to discuss low power radio ("LPFM") on behalf of United Church of Christ ("UCC"), *et al.*

I explained to Mr. Power that UCC *et al.*'s technical analysis demonstrated significant flaws in the studies criticizing the technical feasibility of LPFM. I explained that the NAB's recent response, filed at the FCC on January 5, 2000, to UCC *et al.*'s technical analysis did not find any flaws in UCC *et al.*'s analysis. I provided a copy of the NAB's analysis and a written response to the NAB filing, a copy of which is attached.

In addition, I explained that neither proponent of digital radio had objected to a relaxation of third adjacent protection. In its comments, USADR objected to relaxing second adjacent protection only with respect to interference *outside* its protected contour. Lucent Digital Radio stated in its reply comments that it did not oppose relaxation of second adjacent protection as long as LPFM is a secondary service.

I discussed the licensing limitations favored by UCC *et al.* The Commission should recognize that many deserving entities will not be able to prepare quickly to apply for licenses, and therefore, the Commission should not allow LPFM licensees to obtain a second license until at least one year, if not more time, will have elapsed.

In addition, as UCC *et al.* explained in its comments in this docket, I emphasized that the licensing application procedure must be clear and well-publicized in advance to assist small non-profits, such as churches, in applying for LPFM licenses. Small non-profit organizations are not able to accommodate frequent alterations and updates to the application process. I suggested that the Commission should include the following elements in any application procedure:

- require the Mass Media Bureau open the first and second filing windows on specific dates, possibly June 30, 2000 and another date in the fourth quarter of 2000;
- require the Mass Media Bureau to open future windows within a minimum period of time, for example, require a filing period at least every 18 months;
- provide a copy of the application form as soon as possible, preferably concurrent with the release of the FCC order;
- ensure the FCC web site will be able to accommodate electronic filing, and provide a road map for potential applicants to avoid technical difficulties with electronic filing;

- and
- inform potential applicants whether they will need the services of broadcast engineer to complete an application during the early filing windows, if the software contemplated in the FCC's *NPRM* will not be completed by the first filing window.

Pursuant to Section 1.1206(b), 47 C.F.R. §1.1206, this letter and attachment are being filed electronically today.

Sincerely,

Cheryl A. Leanza
Deputy Director

Attachment
cc: Tom Power