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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

19 January 2000

TO: The Honorable Chairman William Kennard
The Honorable Commissioner Susan Ness
The Honorable Commissioner Gloria Tristani
The Honorable Commissioner Michael Powell
The Honorable Commissioner Harold Furtchgott-Roth

FROM: Scott Clem, President/CEO
Trident Media and Broadcasting, Ltd.

RE: LPFM vote on 20 January

Honorable Chairman and Commissioners,

It is with delight that I acknowledge your continued efforts to establish a Low Power FM (LPFM) radio broadcast service, but with great concern that I write to you before your upcoming decision-making on the service. It is my concern, and undoubtedly the concern of many others, that some of the decisions which could be made could destroy the future of LPFM before it even comes into existence.

First, I would encourage you to refrain from restricting the proposed LPFM service to a strictly non-commercial format. This is a legitimate concern due to the fact that a large number of full-power non-commercial radio stations find it difficult at times to bring in the necessary revenue to continue their operations. If such full-power stations have a difficult time generating underwriters and pledges from the general public, we all know that LPFM stations with limited service ranges and programming sources would find it totally impossible to survive under non-commercial restrictions. In addition to this, the businessowners in many communities are looking for a local broadcasting outlet on which to promote their businesses, and most are hard-pressed to find one, be it because their community has never had a radio station, or once had one and no longer does because of consolidation and subsequent relocation of stations to larger cities.

Second, I respectfully submit to you my opinion that second- and third-adjacent channel restrictions are simply unnecessary for the LPFM service. This is evidenced by the existence of approximately 460 "grandfathered short-spaced" FM stations, many if not all operating with an effective radiated power of at least 3 kilowatts with no interference caused to their adjacencies. LPFM stations with much lower power levels would obviously cause no interference to their adjacencies if the "short-spaced" stations do not.

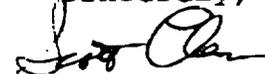
Third, I would like to appeal to you concerning the proposed power levels of LPFM stations. Being aware that the current minimum allowable effective radiated power for a Class A FM station is 100 watts, I can honestly make no legitimate argument against the maximum ERP of LPFM stations being capped at 100 watts, but I encourage you to consider allowing an LP1000 class just the same. The higher power level would undoubtedly be a tremendous help to a station striving to reach out to smaller surrounding communities and would make that station a more attractive prospect to the the listening public and to potential advertisers.

My company has reasonably assumed that these changes are being considered due to pressure by the National Association of "Broadcasters". I use this term loosely because I believe that the real broadcasters are those of us with a genuine desire to serve the public instead of the pocketbook. In addition, perhaps you should consider that the NAB is not giving you much credit in this proceeding. Of everyone in the industry, they should know best of all that the Federal Communications Commission is not going to be so sloppy as to propose a service that would destroy the integrity of radio. To be honest, the NAB is belittling each one of you by their attitude toward LPFM and their attempts to crush it. I would encourage you to remind them that it is the FCC, not the NAB, that "rules the roost" in the broadcast industry. What is more, we are concerned that a "scaled-down" version of LPFM, or no version at all, would result in a massive public revolt in the form of perhaps thousands of "pirate" radio stations joining the ones already on the air, cramming the airwaves, burdening the FCC and making it virtually impossible for those of us with a genuine concern for the industry to ever go on the air to serve our public the way that they deserve to be served.

Finally, I resubmit an earlier request that my company, which has operated a Part 15 AM station in West Frankfort, Illinois, since November 17, 1997, and as the only station located in the city, be granted special authority to operate a LPFM station in the city for experimental purposes in determining the feasibility of the LPFM service, after which we would apply for a general license to continue operating the station for the betterment of our listening public and our community.

I hope the foregoing is helpful to you in your decision.

Sincerely,



Phone (618) 937-4231