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United States Senate

WASHINGTON, DC 20510-0903

COMMITTEES:  
FINANCE  
ENVIRONMENT AND  
PUBLIC WORKS  
VETERANS AFFAIRS  
SELECT COMMITTEE ON  
INTELLIGENCE  
ENERGY AND NATURAL  
RESOURCES

May 2, 2000

EX PARTE OR LATE FILED

The Honorable William E. Kennard  
Chairman  
Federal Communications Commission  
1919 M Street Northwest  
Room 814  
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Chairman Kennard:

To foster a greater appreciation for one of the nation's great treasures, the Florida Everglades, I requested assistance from the State of Florida to develop an "Everglades Awareness" radio transportation information system for travelers along the portion of Interstate-75 known as Alligator Alley. Last April, I asked Secretary David Struhs, Florida Department of Environmental Protection (FDEP), to give me some sense of the feasibility of such a radio transmission service.

In response to my request, a team of partners coordinated by the FDEP and the Public Outreach Steering Support Team of the South Florida Ecosystem Restoration Working Group met that August to discuss technical aspects of the proposed radio system, programming ideas, and funding opportunities. The team studied available transmission alternatives and determined that the AM TIS alternative defined in 47CFR, 90.242 would not provide the coverage and operational requirements necessary for this application. For this reason, the team recommended the use of a low power FM system that will not only provide better performance, but will limit its radiation to the roadway corridor through the use of directional transmitting antennas. The noncommercial application of this low power FM radio station technology will protect the integrity of the existing broadcast spectrum allocations while producing continuous, significant benefits to motorists in the form of an increased awareness of this natural environment, which is nationally recognized and respected. Additionally, the Everglades Awareness radio service will provide a vital service by disseminating Public Safety information to motorists who may travel the I-75 evacuation route during hurricanes or other emergency events.

I understand that the recent FCC Rulemaking regarding Low Power FM radio stations has the effect of precluding the State of Florida from implementing this project. Specifically, I am aware of the following three obstacles:

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Single Site Nationwide Ownership Limit: In light of the current rule to limit the licensee to only one broadcasting device, this project requires the use of multiple transmitter sites to broadcast across the isolated and unpopulated area along I-75 between Ft. Lauderdale and Naples/Ft. Myers.

Exclusion of directional antennas and reduced radiated power levels: Instead of using omnidirectional antennas, this project would use directional transmitting antennas that confine the signal radiation to the roadway corridor and provide contour protection to other broadcast allocations.

Other media cross-ownership restrictions (Requirement to "give up" all other broadcast licenses, i.e., HAR/TIS): No State Agency could responsibly give up its existing statewide AM HAR capabilities for one limited range FM station.

Because the State of Florida has identified time-limited funding for this important public outreach, education and safety initiative, I now seek your input for moving forward with its implementation. I am requesting a waiver allowing for the development of a specialized lower power FM radio transmission to expedite this project.

I am excited about making this project a reality. Please contact Catharine Cyr of my staff at (202)224-0732 should you have questions or need further information.

Sincerely,



United States Senator

BG/cc