prometheus radio project

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Statement of the Prometheus Radio Project on the FCC Announcement of an Impending FCC Notice on Low Power FM Radio

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On Tuesday, November 20th, the Federal Communications Commission announced that it was ready to pass a set of provisions amending the rules that govern the low power FM radio (LPFM) service – a noncommercial radio service that hundreds of schools, churches, municipalities, and community groups use to connect with their local communities. Below is the press statement of Pete Tridish, founder of the Prometheus Radio Project, on the announcement.

"In recent weeks, the Federal Communications Commission, and FCC Chairman Kevin Martin, have made strong public statements about supporting the low power FM radio service, and the vital work that it does nationwide. As the commission works at its November 27th meeting to make decisions about the future of LPFM, they must lay the groundwork to ensure that LPFM will not only be available in rural areas in the future. They must also protect the low power stations from losing their frequencies to full power stations that encroach upon their signals, and threaten to knock them off the air.

As a diverse set of groups, including Prometheus, have proposed over recent years, the FCC must prioritize local low power FM radio stations over translator chains fed by distant signals. The FCC has frozen the granting of translator licenses for the time being, to investigate the practices of these chains and to balance the priority of distant translator use with the needs of local radio. The FCC cannot move to lift the current freeze on the granting of licenses to these translator chains without prioritizing local radio over these distant-fed translators. Without remedying this problem, the Commission is telling the American public that they are prioritizing these distant voices, once and for all, and informing local groups that would like one single, local, hundred-watt-or-less radio station that there is no room on the dial left for them.

When Congress temporarily limited LPFM in 2000, they mandated that the FCC study whether or not there would be room for these vital stations in America's cities and smaller communities. During the exact moment when this study and its technical field tests were being completed in 2003, the FCC made the mistake of allowing a handful of speculators to apply for translator licenses on thousands of the very same channels that had been promised for LPFM use. When it comes to translators and low power FM radio stations, the FCC allocates spectrum based simply upon who filed their application first. If the FCC chooses to prioritize these translator applicants, all of the frequencies that the

FCC designed for LPFM use back in 2000 will have been given away.

In that 2003 window, a single translator applicant applied for 2500 licenses to broadcast, nationwide. One radio station currently has 792 translator applications repeating its signal.

In 2005, the FCC wisely froze translator applications like those listed above in order to find an intelligent resolution. In recent statements, Chairman Martin announced a limited proposal to reject some of these applicants, but if the FCC wants to support low power FM radio, they have a lot of work to do.

No matter what happens in Congress, LPFM will only be available in America's cities if the FCC acts to make room for it. The Commission needs to revise the spectrum priority relationship between LPFMs and these distant translator chains. There are a number of ways that this can be done without affecting the legitimate use of repeating stations by local networks.

In terms of low power FM stations being encroached upon by full power stations that want their signals – while dozens of stations are under threat of this happening in the next weeks or months, the Commission and its staff should be commended for the work they've done, case by case, to make room for both these threatened stations and the full power stations moving into their path.

We encourage the Commission to continue to address the simplest displacement cases now and relieve the hold up on some of these less problematic encroachments. The few, tougher cases should remain on hold for settlement until, through further comment, more innovative solutions are found. Also, hasty judgment should not be made on the fate of low power stations suffering dramatically increased interference through encroachments – more solutions can be found in these cases after further comment. Another excellent option for frequency availability for LPFMs at the disposal of the Commission is to use more detailed engineering methods – methods which can open up a limited number of new options for communities. This could be exciting if the order of application problem (between the chains that got an opportunity to apply before communities got their chance) were resolved.

The statements that the FCC and Chairman Martin have made on the small ameliorative measures they might take for LPFM are helpful and well intentioned, and we'd like to give credit where credit is due – but all of these measures pale in contrast to the prospect of America's cities never getting a fair chance at low power radio, and the importance of keeping low power FM radio stations serving their full communities.

Prometheus would heartily congratulate the hard work of the Chairman Martin and the FCC staff on this new low power notice, so long as the Commission does not:

1) foreclose the LPFM opportunity in the cities by ignoring the translator/LPFM priority problem, and
2) make hasty judgment on the hardest encroachment cases, and cases that do not involve displacement but do involve significant interference. These should be resolved after another round of comment and creative problem solving."