

LOW POWER FM (LPFM) RECOMMENDATIONS FOR THE FEDERAL COMMUNICATIONS COMMISSION UNDER PRESIDENT BARACK OBAMA

Respectfully submitted December 22, 2008 by Shawn Campbell, President and Founder of the Chicago Independent Radio Project, with substantial assistance from Pete Tridish of the Prometheus Radio Project

LPFM BACKGROUND

The FCC approved the new Low Power FM (LPFM) service in 2000, and Congress voted in favor of its creation. However, in doing so, Congress delayed the implementation of LPFM licensing in urban areas, requesting further study on the issue of potential interference. In 2004, a study by the MITRE Corporation was completed, demonstrating that new LPFMs created minimal risk of interference to full-power stations. At that point, the FCC recommended that Congress act to restore the Commission's authority to grant additional LPFM licenses in urban areas. Bills have been introduced several times, but have been held up in the House of Representatives – this despite having 100 co-sponsors on the House side in the most recent session. The measure has passed the Senate Commerce Committee twice.

In the meantime, the FCC has continued to award licenses in rural areas. These new low-power stations have been successful in providing new voices to their communities, providing an outlet for diverse groups including immigrants, native populations, farmers, churches, and schools. They provide a needed dose of localism and live coverage at a time when most commercial and public radio stations fail to offer much of either.

While awaiting Congressional action on urban LPFMs, the FCC opened an application window for translators. Translators are also known as "repeaters," and rebroadcast a distant signal, using the same transmitters and similar available spectrum spots as LPFM stations. In the window, the FCC received almost 15,000 translator applications, 4000 from a single religious broadcaster. Because of the "first come, first served" policy for awarding licenses, these applicants have requested nearly every available spot on the broadcast dial that could accommodate an urban LPFM, while urban LPFM groups like the Chicago Independent Radio Project have been prevented from applying for available spectrum space due to Congressional failure to act. While the Commission has moved to cap the number of translator applications it will grant to each group or company, much more needs to be done.

OUR HISTORY

The Chicago Independent Radio Project (CHIRP) formed in August of 2007 from the ashes of a community radio station owned by Loyola University of Chicago. When that university's leadership decided it wanted its station to be more focused on curriculum and student life, many former volunteers began work to secure a license for a truly independent community radio station. More than 120 volunteers have joined the effort, and the group has raised more than \$40,000. However, CHIRP finds itself in a position where, despite having an enthusiastic volunteer base, great community support, and a proven track record of both fundraising and prior successful station operation, it cannot apply for a LPFM license because of the way the current law is written.

OUR RECOMMENDATIONS

As the situation stands, translators have been given priority over new LPFM stations by virtue of the fact that the urban LPFM issue is still being held up in Congress. We ask that the Commission reconsider the way it prioritizes its licensing. We would ask that, rather than a "first come, first served" policy, the FCC prioritize local applicants seeking a single license to create local programming over national networks that simply plan to expand their coverage area and retransmit a distant signal.

We'd also ask that the Commission reconsider its recommendation to allow only a simplified method for placing LPFM signals in urban areas. While the simplified method can be helpful to stations in rural areas, allowing applicants to forgo a more expensive engineering study, in urban areas, this policy creates a situation where available channels may be missed. We'd ask that the FCC allow urban LPFM applicants the option of conducting an engineering study to find space on the dial where their signal would not cause interference. This is a move that would need to be implemented once Congress acts on the LPFM issue.

Finally, we would ask simply that the FCC, and President-elect Obama himself, would continue to reaffirm support for Congress to expand LPFM to urban areas, and encourage Congressional leadership to move the bill forward early in the new session.

Once Congress does act, we'd ask that the Commission move quickly to implement the policy changes we've recommended, and open a new licensing window for urban LPFM applicants, many of whom have been languishing for years as they've waited for this issue to be resolved.

CONCLUSION

While we have more media choices than ever before, radio remains the most accessible medium we have. At a time when radio ownership has grown less

and less diverse, when the airwaves are filled with rampant commercialism, and when local news and other local content, including music by local artists, has almost entirely disappeared from the airwaves, community radio is more important than ever. During times of emergency when commercial radio stations are on autopilot, community radio stations have been live on the air, providing up-to-the-minute information and offering assistance. LPFM stations provide incredibly diverse groups with an outlet for their voices, but cities, our most diverse cultural centers, are currently left out of the LPFM picture. Even if Congress acts to change the law in regard to LPFM licensing, many urban LPFM groups still would be shut out because of the current set of translator applicants, as well as the rules governing engineering studies. We urge the FCC to act to prioritize local content in our nation's cities by implementing our recommendations.