



PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
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Low Power FM Filing Window

FCC to accept Low Power FM Applications May 30 through June 5, 2000 for Alaska, California, District of Columbia, Georgia, Indiana, Louisiana, Maine, Mariana Islands, Maryland, Oklahoma, Rhode Island and Utah.

By this Public Notice, the Mass Media Bureau (MMB) announces the application filing window for Low Power FM (LPFM) stations in the states/territories listed below. The window will open on May 30, 2000 and close on June 5, 2000.

LPFM is a new service established by the Commission on January 20, 2000 designed to serve local communities.¹ An LPFM station will serve an area with a radius of approximately 3.5 miles, with a maximum power level of 100 watts.

On March 27, 2000, the Commission conducted a lottery to determine the order in which applications for LPFM stations from applicants in five pre-defined groups of states and territories would be accepted. In a Public Notice announcing the results of that lottery, the Commission indicated that it would announce successive filing windows for each group of states/territories, with the first filing window to be announced at the end of April and opened 30 days later, at the end of May.

Applicants should be aware that petitions for reconsideration of the LPFM Report and Order are pending. These petitions raise certain eligibility and interference issues and question the impact of LPFM stations on audio information services, commonly known as radio reading services, for blind and low-vision listeners. The resolution of these issues may affect the availability of certain frequencies for LPFM stations. The Commission will address

¹ See Creation of Low Power Radio Service, Report and Order, MM Docket No. 99-25, FCC 00-19 (released January 27, 2000) ("LPFM Report and Order").

these issues before granting construction permits in the LPFM service. Applicants should also note that audio information services are generally provided on the subcarriers of stations licensed in the reserved portion of the FM broadcast band (88MHz-92MHz).

Scope. The window will be open for new LPFM station proposals that specify LP100 station facilities with transmitter locations within the following U.S. states and territories: Alaska, California, District of Columbia, Georgia, Indiana, Louisiana, Maine, Mariana Islands, Maryland, Oklahoma, Rhode Island, and Utah. A public notice announcing a second LP100 LPFM filing window for the next group of ten states and other jurisdictions will be released in approximately three months.

Filing Requirements. LPFM applications filed during this window must protect all FM, FM Translator, FM Booster, and TV Channel 6 authorizations. LPFM applications also must protect pending broadcast applications in these services that were filed prior to the date of this Notice. Finally, LPFM applications must protect existing vacant FM allotments. See 47 C.F.R. §§ 73.807 and 73.825. An LPFM application that fails to protect these authorizations, applications, and allotments will be dismissed with no opportunity to correct the deficiency. Applicants must be a nonprofit educational organization, a nonprofit educational institution or must propose a noncommercial public safety radio service. Applicants also must be community-based. See 47 C.F.R. § 73.853.

Participation. Those wishing to participate in this LPFM window *must* complete and timely file FCC Form 318, Application for Construction Permit for a Low Power FM Broadcast Station, in triplicate with the Secretary of the Commission. This form may be downloaded from the Internet at: <http://www.fcc.gov/formpage.html>, and may also be obtained by calling (202)-418-FORM. No fee is required when filing FCC Form 318.

Applications must be filed during the window. Applications filed earlier in the window will not receive any preference over those filed later in the window. Applications filed before May 30, 2000 or after June 5, 2000 will be returned. Incomplete and patently defective applications will be dismissed. Applications specifying transmitter locations in jurisdictions not included in this filing window will be dismissed.

Where to file. Hand delivered applications will be accepted at the Commission's Package Drop Off, Secretary's Office Filings, Room TW-A325, FCC, 445 12th Street, SW, Washington, DC 20554, between 8:00 am and 7:00 pm each business day during the window. Applicants using commercial overnight services must address their filings as follows: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Washington, DC 20024. Applicants using the U.S. Postal Service must address their filings as follows: Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Washington, DC 20554.

Finding an LPFM Station Channel. Applicants may use the Mass Media Bureau's LPFM Channel Finder to help determine if a proposed transmitter site would meet current minimum LPFM station spacing requirements. This internet-based utility is available on the

FCC web site at: <http://www.fcc.gov/mmb/asd/lpfm>. The site also provides additional information on the new LPFM service, including the text of the LPFM Report and Order, specific rule requirements for LPFM applicants, and methods to determine the coordinates of an applicant's proposed transmitter site.

For additional information, contact the Commission's Consumer Information Bureau at (888) CALL-FCC, or visit the Commission's website at www.fcc.gov/lpfm.

Copies of this Public Notice are available in accessible formats (Braille, large print and audio cassette) by contacting Brian Millin at (202) 418-7426 (voice); 418-7365 (TTY).

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