



# PUBLIC NOTICE

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## Media Bureau Announces Comment Deadlines in Low Power FM - FM Translator Rule Making and Release of Spectrum Availability Program

Published in Federal Register July 29, 2011

NPRM Comment Date: August 29, 2011

NPRM Reply Comment Date: September 12, 2011

**Filing Deadlines.** On July 12, 2011, the Commission adopted and released a Third Further Notice of Proposed Rule Making in the Matter of Creation of a Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations.<sup>1</sup> In the *Third Further Notice*, the Commission seeks comment on how the recently enacted Local Community Radio Act (“LCRA”) will impact future low power FM (“LPFM”) and translator station licensing. The item tentatively finds that a previously adopted cap on translator applications is inconsistent with the LCRA’s directives, and tentatively concludes that a market-specific processing policy would most faithfully implement Section 5 of the LCRA. The item also considers whether the Commission should take additional steps to prevent the trafficking of translator construction permits, and whether translators from Auction No. 83 should be allowed to rebroadcast the signals of AM stations at night. The Commission set deadlines for filing comments and reply comments at 30 and 45 days, respectively, after publication of the *Third Further Notice* in the Federal Register.<sup>2</sup>

By this *Public Notice*, the Media Bureau (“Bureau”) announces that the *Third Further Notice* was published in the Federal Register on July 29, 2011.<sup>3</sup> Comments must be submitted no later than August 29, 2011. Reply Comments must be submitted no later than September 12, 2011. Commenters should follow the filing instructions provided in paragraph 39 of the *Third Further Notice*.<sup>4</sup> The *Third Further Notice* is also available on the Commission’s website.<sup>5</sup>

**LPFM Spectrum Availability Program.** In response to requests for additional information, the Bureau is making available the spectrum availability analysis program described in Appendix A to the *Third Further Notice*, along with the coordinates the Commission used in preparing each market analysis. The Commission used this program to investigate the extent to which 100-watt (“LP100”) LPFM stations could be located in over 150 radio markets throughout the United States. For each of a uniform array of

<sup>1</sup> MB Docket No. 99-25; MM Docket No. 07-172; RM-11338, Third Further Notice of Proposed Rule Making, FCC 11-105 (rel. July 12, 2011) (“*Third Further Notice*”).

<sup>2</sup> See *Third Further Notice* at 1.

<sup>3</sup> *Matter of Creation of A Low Power Radio Service; Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations*, 76 Fed. Reg. 45491 (July 29, 2011).

<sup>4</sup> *Third Further Notice* at 16-17, ¶ 39.

<sup>5</sup> See [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0714/FCC-11-105A1.doc](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0714/FCC-11-105A1.doc) (Word), [http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2011/db0714/FCC-11-105A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2011/db0714/FCC-11-105A1.pdf) (Acrobat).

grid points, the program found FM frequencies for which LP100 stations could be located in conformance with the proposed minimum distance separation requirements toward existing stations.

Interested parties may use the program to explore the potential availability of frequencies for LPFM stations at locations throughout the United States. This version of the program identifies available frequencies at each grid point (by latitude and longitude). The Bureau has made no attempt to assess the availability or suitability of the studied locations. Several of the markets included in the FCC study are located near large bodies of water. For most of these markets, the grid points located over water have been identified and stored in data files provided with the source code. However, some markets, such as Honolulu, HI, were analyzed manually to exclude points over water.

The following path provides access to the code, center-city coordinates for each market, and other related files: [http://www.fcc.gov/Bureaus/MB/Databases/source\\_code/lpfm/lpfm6.zip](http://www.fcc.gov/Bureaus/MB/Databases/source_code/lpfm/lpfm6.zip). Users should pay particular attention to the Readme.txt file in the zip file that describes the contents of the package.

For additional information on this proceeding, contact Peter Doyle, Tom Hutton or Kelly Donohue, Audio Division, Media Bureau, (202) 418-2700. For further information regarding the LPFM spectrum availability program, contact Jorden Brinn or Jim Bradshaw, Audio Division, Media Bureau at (202) 418-2700. Press inquiries should be directed to Janice Wise, (202) 418-8165. TTY: (202) 418-7172 or (888) 835-5322.

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