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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Circ 1974).

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FCC CHAIRMAN RESPONDS TO HOUSE VOTE TO CUT THE NUMBER OF COMMUNITY RADIO STATIONS BY 80%

Washington, DC--FCC Chairman William Kennard said today that he is very disappointed that the U.S. House of Representatives has voted to eliminate over 80% of the potential Low Power FM radio stations in hundreds of communities around the country with the passage of H.R. 3439.

In a statement, Kennard said, "Special interests triumphed over community interests today. While the National Association of Broadcasters frequently opposes new competitive services, I'm particularly disappointed that National Public Radio joined with commercial interests to stifle greater diversity of voices on the airwaves. I can only wonder how an organization that excels in national programming could fear competition from local programming by these tiny stations operated by churches, schools, community groups and public safety agencies."

Kennard said there should be no mistake about the implications of this bill. He said, "While it appears on the face to simply be about requiring the FCC to conduct more tests to protect existing broadcasters from interference, its practical effect is to set roadblocks and hurdles for the FCC, and for the development of low power radio, that may never be met and that only can serve to protect incumbent broadcasters from competition."

Kennard listed four reasons why the interference issue is a "red herring:"

- 1) The FCC has set minimum frequency separation rules for LPFM that more than protect existing broadcasters, who operate at power levels from 3,000 to 100,000 watts, from harmful interference from these small 10 and 100-watt stations operating in a service area from 1 to 3.5 miles.
- 2) The FCC from the beginning has pledged not to authorize low power stations in communities where there could be harmful interference to existing stations. This particularly applies to protect public radio stations that are more tightly concentrated in the lower portions of the FM band.
- 3) The FCC has specifically pledged to protect the Radio Reading Services that are broadcast within public radio signals.

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- 4) There are currently 312 full power stations operating under FCC authority without third adjacent-channel protection—many of them without second adjacent-channel protection—and there have been no complaints about interference.

“I urge any House Member or Senator seriously concerned about the interference issue to review the exhaustive engineering studies that the FCC conducted during our two-year proceeding and to discuss their concerns with our frequency experts,” Kennard said.

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