

**Statement of Acting Chairman Michael Copps  
Regarding the U.S. Court of Appeals for the D.C. Circuit  
Decision in *National Association of Broadcasters v. F.C.C.*  
June 5, 2009**

I applaud today's decision upholding the Commission's authority to waive second-adjacent channel spacing requirements to protect LPFM stations facing encroachment by full-power stations. The listening public and our diversity goals are immediate beneficiaries of this decision which will permit approximately 40 LPFM stations to remain on the air and serving their communities.

We must continue to look for ways to promote and expand this most local radio service which holds such great promise in expanding radio ownership to under-represented stakeholders and in meeting the needs of under-served communities. In this regard, I look forward to working with my fellow Commissioners in finishing work on the pending LPFM Second Further Notice of Proposed Rule Making. I also respectfully renew my recommendation to Congress that it eliminate existing statutory LPFM third-adjacent channel spacing requirements.