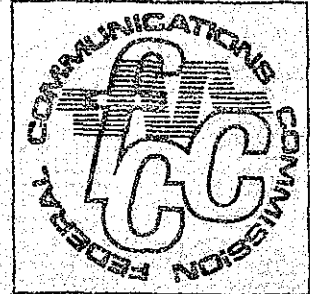


PUBLIC NOTICE

Federal Communications Commission • 1919 M Street, NW. • Washington, D.C. 20554



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July 25, 1979 -BC

19744

COMMISSION REACHES AGREEMENT WITH CANADA ON MOVING CLASS D EDUCATIONAL FM STATIONS TO COMMERCIAL BAND

Recently, the Commission took a number of actions affecting noncommercial educational FM stations. ^{1/} In one of these actions the Commission adopted several rules concerning Class D non-commercial educational FM broadcast stations (these are the stations with a transmitter power output of 10 watts or less). Under Section 73.512 of the new rules, all Class D stations are required to comply with certain channel change procedures. If possible, all Class D stations are required to change frequency to the commercial band (92 through 108 megahertz). If no channel in the commercial band is available, they must move to newly created Channel 200 (87.9 megahertz). And, if Channel 200 is not available, they must move to the least preclusive channel in the reserved band (88 through 92 megahertz). Alternatively, these stations can file an application by January 1, 1980, to increase power on an educational channel to at least 100 watts ERP.

Because our Working Arrangement with Canada did not permit Class D stations in the commercial band within 250 miles of Canada, the channel change procedure was suspended for Class D stations in the Canadian border area pending completion of negotiations with Canada. Treaty provisions bar the use of the newly created FM Channel 200.

^{1/} These actions were taken in the following documents in Docket No. 20735:

- First Report and Order, adopted June 7, 1978, published in the Federal Register on June 15, 1978, 43 Fed. Reg. 25821.
- Second Report and Order, adopted June 7, 1978, published in the Federal Register on September 6, 1978, 43 Fed. Reg. 39704.
- Memorandum Opinion and Order, adopted December 23, 1978, published in the Federal Register on January 16, 1979, 44 Fed. Reg. 3412.

The Commission has recently reached an agreement with Canada to permit Class D stations to move to the commercial band. Therefore, all Class D stations in the Canadian border area are now subject to the channel change requirements in Section 73.512(a)(1). That Section will be amended shortly to so state. In addition to complying with the interference requirements in Section 73.509(b) concerning U.S. commercial stations, Class D stations in the Canadian border area must also provide protection to Canadian commercial stations. All proposals by Class D stations within 20 miles of the Canadian border will be referred to Canada on a case-by-case basis during the processing of the application. We would also refer to Canada other applications beyond 20 miles from the border which would cause interference to the reception of Canadian stations inside Canada. This situation is expected to be unusual and in any event would not occur if the Class D station had an ERP of 50 watts or less and an antenna height above average terrain which does not exceed 200 feet.

Since we do not have an agreement with Mexico which permits Class D stations in the commercial band, the exemption to Section 73.512(a)(1) for Class D stations within 199 miles of Mexico remains in effect.

A copy of this Public Notice is being sent to all noncommercial educational FM licensees.

Questions about the Commission's decisions in this area should be directed to Jonathan David, Policy and Rules Division, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554; telephone (202) 632-7792. Engineering questions related to the filing of these applications should be directed to John Boursy, Broadcast Facilities Division, Broadcast Bureau, 1919 M Street, N.W., Washington, D.C. 20554, telephone (202) 632-6908.