

**STATEMENT OF  
COMMISSIONER DEBORAH TAYLOR TATE  
APPROVING IN PART, DISSENTING IN PART**

*Re: Creation of a Low Power Radio Service, Third Report and Order*

I appreciate that the hallmarks of LPFM radio stations are its local character and locally originated programming. In fact, I had the opportunity to visit RadioFree Nashville last spring and talk with many of the original founders as well as the staff and radio show hosts. They provide a variety of informational and educational programming, talk shows and unique music formats to West Nashville. In fact, a former colleague, George Haley has a regular show regarding issues affecting individuals facing mental and behavioral health issues and it is precisely this type of forum that LPFM can provide listeners.

I support much of what is in the further notice. In fact, that is a more appropriate place for the majority of the action we take in this item today. I believe that we need to have more input and further comment before taking some of these broad and expansive actions regarding the status and protections of both LPFM and primary or licensed full-power stations and therefore I approve in part and dissent in part.

At present, there are several bills pending before Congress and it would seem appropriate to wait on their instruction before moving forward, especially before moving beyond what is included in the legislation regarding 3<sup>rd</sup> adjacent channel interference. I also think that we should have a rational basis for setting the standards for Low Power FM, perhaps using the minimum operating guidelines for the required number of hours of operation. Regarding the applications for additional translators, again, I would have preferred a more measured approach, rather than an 80% cut: from 50 to 10. Finally, enhancing the status of Low Power FM licensees as compared to full power FM stations, or creating new status and protections, is beyond the scope of the NPRM and is more appropriately addressed in the Further Notice we are issuing today. Such a sweeping change by an agency should require further notice, consideration, and comment.

Therefore, I dissent from this Order's finding of a ten application limit on translators, from the finding regarding second-adjacent channel waivers, and from the portion of this Order that places Low Power FM in a superior position to full power. I find no justification in the record for such a complete shift in well-established policy. Low Power FM licensees provide a great service to their communities, but they accept their license knowing that they are a secondary service, and accept both the risks and rewards that status entails.