

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
Digital Audio Broadcasting Systems)	MM Docket No. 99-325
And Their Impact On the Terrestrial Radio)	
Broadcast Service)	

To: The Commission

COMMENTS OF

**WESTERN STATES PUBLIC RADIO
EASTERN REGION PUBLIC MEDIA
PUBLIC RADIO IN MID MERICA
CALIFORNIA PUBLIC RADIO**

Pursuant to Section 1.415 of the Commission's rules, 47 C.F.R. § 1.415, Western States Public Radio ("WSPR"), Eastern Region Public Media ("ERPM"), Public Radio in Mid America ("PRIMA"), and California Public Radio ("CPR") (collectively, the "Public Radio Regional Organizations" or "PRRO"), all regional organizations representing noncommercial broadcasters, hereby jointly submit the following Comments on behalf of their members in response to the Commission's Public Notice regarding a joint request for an FM digital power increase.¹

I. Introduction

WSPR is a regional membership organization for public radio stations in the western

¹ *Public Notice*: Comment Sought on Joint Parties Request for FM Digital Power Increase and Associated Technical Studies, MM Docket 99-325, rel. May 22, 2009 [hereinafter "Public Notice"].

United States. It represents more than 30 noncommercial educational radio station licensees of over 200 full-service radio stations. *See* member list at Exhibit A.

PRIMA is a regional membership organization serving stations in the nation's central states. It represents more than 65 licensees of over 145 full-service radio stations.

ERPM is a regional membership organization serving stations in the eastern and southern states. It represents more than 70 licensees of over 120 full-service radio stations.

California Public Radio is a membership organization serving stations in California. It represents 30 licensees of over 40 full-service radio stations.

Together, the Public Radio Regional Organizations represent over 500 public radio stations across the United States. *See* member lists at Exhibit A. The Public Radio Regional Organizations include member stations that serve entire states or regions, small to major markets, and isolated rural areas with local and national programming, including substantial news and public affairs programming, classical, jazz, and world music programming, minority-oriented programming (including African American, Hispanic and Native American programming), and other cultural programming genres. WSPR members include FCC licensees that are state and governmental entities, college and universities, and nonprofit educational organizations (also known as "community" licensees whose governing boards are drawn from the community of license). In addition, several of the public broadcasting entities represented by these groups are stations whose analog signal coverage would be the most adversely affected by a 10dB blanket HD radio power increase.²

II. The Public Radio Regional Organizations Urge The Commission To Defer Consideration Of The Joint Parties' Requested Power Increase Until The Completion Of The NPR Study

² Based on preliminary testing conducted by NPR Labs.

In general, the PRROs support a power increase in order to fully realize the benefits of digital radio. Many of our members have invested millions of dollars to upgrade to digital and are anxious to have it succeed. The PRROs believe, however, that further testing being conducted by National Public Radio (NPR) will help to create a rational basis on which the Commission may proceed with a power increase. The PRROs fear that the proposed 10dB blanket power increase proposed by the Joint Parties could have devastating effects on existing analog radio services, as evidenced by preliminary studies conducted by NPR Labs. As the Commission stated in 2000 in its *First Report and Order* regarding digital audio broadcasting: “We favor the rapid implementation of DAB in a manner that will not disrupt existing service.”³ The PRROs agree with this statement and urge the Commission to re-visit its original goals.

In addition to previously conducted testing,⁴ NPR Labs is currently conducting a comprehensive study funded by the Corporation for Public Broadcasting.⁵ The study will establish industry recommendations for the amount of power increase needed to improve digital radio coverage while protecting the existing analog FM system and its subcarriers, which serve over 32 million public radio and 239 million total FM radio listeners each week. The NPR Labs study also will provide an accurate assessment of the impact of a power increase on analog subcarriers and mobile impact to analog FM listeners, neither of which has previously been tested, but must be taken into consideration. Further, the study will assess interference to the analog signals of stations operating on first adjacent channels. With the results of the NPR Labs study a mere two months away, the PRROs do not believe that the Commission has a rational

³ See Digital Audio Broadcasting Systems And Their Impact on the Terrestrial Radio Broadcast Service, *First Report and Order*, MM Docket No. 99-325, FCC 02-286 (rel. Oct. 11, 2002), at para. 7.

⁴ See Comments of National Public Radio, as filed in response to the *Public Notice*; Comments of National Public Radio, Inc., *Public Notice: Comment Sought on Joint Parties Request for FM Digital Power Increase and Associated Technical Studies*, MM Docket 99-325, rel. Oct. 23, 2008., at pp. 2-4 (filed Dec. 5, 2008).

⁵ See Press Release: NPR Labs Launches CPB-Funded Study on Power Increase for HD Radio TM, April 2,

basis for moving forward with the Joint Parties request until the NPR study is complete.

III. The Commission Should Not Establish Separate Power Increase Rules For Non-Reserved Band and Reserved Band Stations

Public radio stations operate in both the reserved and non-reserved bands, thus, the PRROs oppose any proposals to establish separate rules for reserved band and non-reserved band stations. There should be one standard for the entire FM band. If the Commission were to incorrectly establish separate rules for these bands, the PRROs warn that interference could occur to the analog service if a station were operating in the non-reserved band, while the station on the reserved band would have no ability to increase power.

IV. Previous NPR Testing Has Shown That Proposed 10dB Power Increase Would Cause Substantial Interference

The PRROs support NPR's previously filed concerns that an across-the-board 10 percent power increase may provide the correct coverage improvement for some stations, but it will result in significant interference to the protected analog service of a number of 1st adjacent stations.⁶ The PRROs remain concerned that the "one size fits all" approach sought by the Joint Parties is too risky. Public radio stations rely on the generous support of listeners to sustain revenues. A degraded signal quality could severely undermine listenership and erode already fragile revenue streams. During these difficult economic times, the loss of even one listener could tip the balance sheet from the black and into the red. In communities served by only one public radio station, numerous listeners could potentially lose over-the-air radio access either to individual public radio programs or to entire classifications of program (such as classical music, public radio news/information programming, etc.).

2009, available at <http://www.npr.org/about/press/2009/040209.CPBLabs.html>.

⁶ See Comments of National Public Radio, Inc., *Public Notice: Comment Sought on Joint Parties Request for FM Digital Power Increase and Associated Technical Studies*, MM Docket 99-325, rel. Oct. 23, 2008, at pp. 2-4

Our experience shows that foundations and business also are less likely to support a station if reception of that station's signal is degraded.

Given the fact that the transition to HD Radio continues on an upward path, the PRROs urge the Commission not to rush to judgment and potentially disenfranchise the loyal public radio listener base that currently exists on legacy analog-only radios. Further, if these analog-only listeners are lost, then it will be difficult to lure them to a digital platform. In a few months' time, the NPR study will be complete and the Commission will have all of the technical information it needs to determine what level of power increase is rationale.

Conclusion

In conclusion, the PRROs urge the Commission to await the results of NPR study before approving an IBOC power increase. Any Commission action to increase power prior to the completion of a full technical record could disenfranchise thousands of loyal public radio listeners across the United States.

Respectfully submitted,

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EXHIBIT A

WESTERN STATES PUBLIC RADIO MEMBERS

Alaska Public Broadcasting, Inc.
Alaska Public Telecommunications, Inc.
Arizona Board of Regents for the Benefit of the University of Arizona
Arizona Western College
Boulder Community Broadcast Association, Inc.
Brigham Young University
Community Radio for Northern Colorado
Eastern New Mexico University
Hawaii Public Radio, Inc.
Idaho State Board of Education (Boise State University)
Idaho State University
Jefferson Public Radio
KBPS Public Radio Foundation
KCBX, Inc.
KUTE, Inc.
Lane Community College
Maricopa County Community College District
Mt. Hood Community College District
Nevada Public Radio
Northern Arizona University
Oregon Public Broadcasting
Pacific Lutheran University, Inc.
Public Broadcasting of Colorado, Inc.
Regents of New Mexico State University
Seattle Public Schools
Spokane Public Radio, Inc.
The University of Oklahoma
The University of Texas at Austin
University of Utah
The University of Washington
University of Wyoming
Utah State University of Agriculture and Applied Science
Washington State University

EASTERN REGION PUBLIC MEDIA MEMBERS

Alabama

WBHM - Birmingham
WUAL - Tuscaloosa

Connecticut

WSHU - Fairfield
Connecticut Public Radio - Hartford
WMNR - Monroe

District of Columbia

WAMU - Washington

Florida

WUFT - Gainesville
WLRN - Miami
WDNA - Miami
WMFE - Orlando
WUSF - Tampa
WQCS - Fort Pierce

Georgia

WABE - Atlanta
WJSP - Atlanta
WCLK - Atlanta

Kentucky

WNKU - Highland Heights
WUKY - Lexington
Louisville Public Media - Louisville
WKMS - Murray
WEKU - Richmond

Louisiana

WWNO - New Orleans
KRVS - Lafayette
KDAQ - Shreveport

Maine

Maine Public Broadcasting - Bangor

Maryland

WEAA - Baltimore
WTMD - Baltimore
WESM - Princess Ann
WSCL - Salisbury

Massachusetts

WFCR - Amherst
WGBH - Boston
WICN - Worcester

Mississippi

WPRL - Lorman
Mississippi Public Broadcasting - Jackson

New Hampshire

New Hampshire Public Radio - Concord

New Jersey

WBGO - Newark
WBJB - Lincroft
WWFM - Trenton
NJN Public Radio - Trenton & Newark

New York

WAER - Syracuse
WSKG - Binghamton
WBFO - Buffalo
WNED - Buffalo
WEOS - Geneva
WFUV - New York
WMHT - Schenectady
WNYC - New York
WLIU - Southampton
WRVO - Oswego
WSLU - Canton
WNYE - New York
WXXI - Rochester

North Carolina

WCQS - Asheville
WUNC - Chapel Hill
WFAE - Charlotte
WFDD - Winston-Salem
WDAV - Davidson
WFFS - Fayetteville
WNCU - Durham
WNCW - Spindale
WHQR - Wilmington

Ohio

WAPS - Akron

Pennsylvania

WYEP - Pittsburgh
WDUQ - Pittsburgh
WPSU - University Park
WQED - Pittsburgh
WRTI - Philadelphia
WVIA - Pittston
WXPB - Philadelphia

South Carolina

ETV Radio - Columbia

Tennessee

WUOT - Knoxville
WKNO - Memphis
WPLN - Nashville

Vermont

Vermont Public Radio - Burlington

Virginia

WMRA - Harrisonburg
WVTF - Roanoke

West Virginia

WVPM – Charleston

PUBLIC RADIO IN MID AMERICA MEMBERS

Alabama Public Radio
KLRE-FM/KUAR-FM, University of Arkansas
KWIT, Western Iowa Tech Community College
Northern Public Radio, Northern Illinois University
WBEZ-FM, The WBEZ Alliance, Inc.
WCBU, Bradley University
WGLT, Illinois State University
WILL-AM/FM, University of Illinois
WIUM/WIUW, Western Illinois University
WQUB-FM, Quincy University Corporation
WSIU-FM, Board of Trustees, SIU
WUIS/WIPA, The University of Illinois at Springfield
WVIK, Augustana College, Rock Island, IL
Indiana Public Radio, Ball State University, Muncie, IN
WBAA-AM/FM, Purdue University, West Lafayette, IN

WBOI/WBNI-FM, Northeast Indiana Public Radio, Inc., Fort Wayne, IN
WFIU-FM, Indiana University
WFYI, Metropolitan Indianapolis Public Brdstg., Inc., Indianapolis
WNIN, Evansville, IN
WVPE, Elkhart, IN
WVUB-FM, Vincennes, IN
KANU-FM, University of Kansas
KRPS, Pittsburg State University
KEDM, State of LA Board of Trustees, State Colleges & Univ., Monroe, LA
WWNO, Louisiana State University and A&M College, New Orleans, LA
Interlochen Public Radio, Interlochen Center for the Arts, Interlochen, MI
WEMU-FM, Eastern Michigan University
WKAR-AM/FM, Michigan State University
WLNZ-FM, Lansing Community College
WUCX-FM, Delta College
WUOM, Ann Arbor, MI
Minnesota Public Radio
KBIA, University of Missouri
KCUR-FM, University of Missouri
KJLU, Lincoln University of Missouri
KMST, University of Missouri
KRCU-FM, Southeast Missouri State University
KSMU, Southwest Missouri State University
KTBG-FM, Central Missouri State University
KWMU-FM, U of MO-St. Louis
KXCV/KRNW, NW Missouri State University
Prairie Public Broadcasting, Inc.
KIOS-FM
School District of Omaha, County of Douglas
KVNO-FM, Board of Regents-University of Neb-Omaha
Nebraska Public Radio Network
The WOSU Stations, The Ohio State University
WCPN, Cleveland Public Radio, Inc.
WDPR/WDPG, Dayton Public Radio, INC
WKSU, Kent State University
WMUB, The President and Trustees of the Miami University
WYSO, Antioch University
WYSU, Youngstown State University
KCCU-FM, Cameron University
KCSC/KBCW, University of Central Oklahoma
KGOU-FM, The University of Oklahoma
WDUQ-FM, Duquesne University
South Dakota Public Radio
WUOT-FM, University of Tennessee
KUT/KUTX, The University of Texas at Austin

Texas Public Radio
WERN, State of Wisconsin Educational Communications Board
WHA-AM, Madison, WI
WUWM Milwaukee Public Radio
WXPR, Rhinelander, WI
Wyoming Public Radio

CALIFORNIA PUBLIC RADIO MEMBERS

KHSU - Arcata
KVPR- Fresno/Bakersfield
KCSN - Northridge
KXPR - Sacramento
KPBS – San Diego
KCBX – San Louis Obispo/Santa Barbara
KCHO - Chico
KAZU – Pacific Grove/Monterey
KALW – San Francisco
KCSM – San Mateo
KSJV – Fresno
KUSC – Los Angeles
KPCC – Pasadena/Los Angeles
KVCR – San Bernardino
KQED – San Francisco
KUSP – Santa Cruz/Monterey
KCRW – Santa Monica
KRCB – Rohnert Park
KCLU – Thousand Oaks/Santa Barbara
KZYY – Mendocino