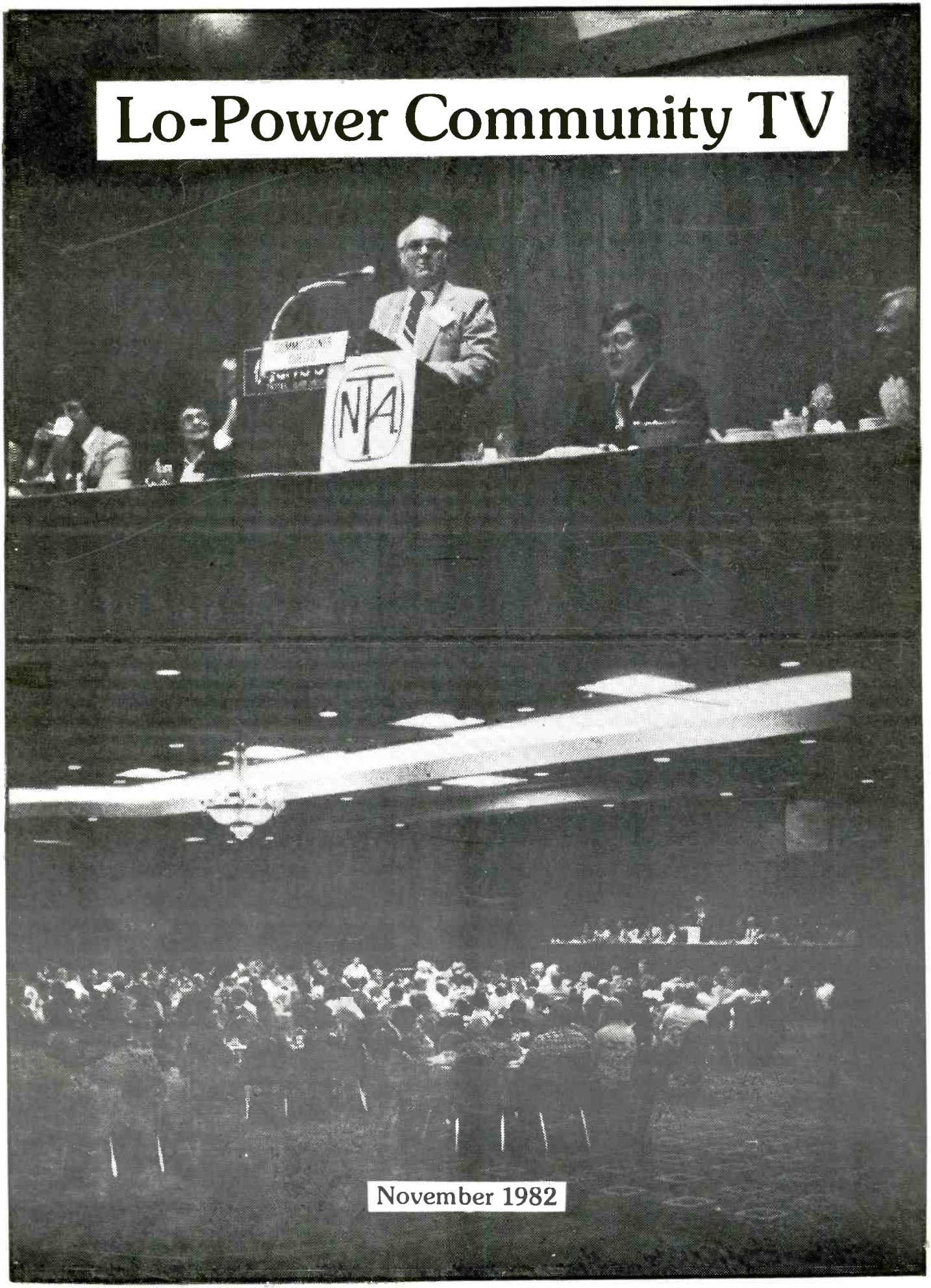
Lo-Power Community TV



November 1982

What's Happening

BIG CITY LPTV

Booker Wade, a minority Washington attorney, announced at Las Vegas that they had settled mutual exclusives in Phoenix, Mobile and Knoxville and would have the Phoenix LPTV station on by January 1983. These were all through cutoff years ago but were not granted because of competitive applications. Since they have agreed, now they can be licensed.

Full Gospel Businessmen Fellowship reported they have seven low power stations' affiliates with them that are in low power operation, including Waterloo, Iowa, Eugene and Salem, Oregon, as well as Muncie and Robinsonville, Illinois.

The Portland CP owner for Channel 61 is reported ready to come on the air in the next 45 days.

It will be interesting to see what happens with LPTV in the larger cities. Your editor has an application in Tallahassee through cutoff with six others (also one in Fort Lauderdale with 12 others) and has been receiving Washington attorney correspondence asking for withdrawing the application with a top settlement of $2,500 for application expenses both on Tallahassee and Fort Lauderdale/Miami applications. They also ask for other suggested alternatives for settling. I am about ready to suggest a private lottery--why wait? Get together, put seven ping pong balls in the hat (or whatever) and draw one out. All sign agreements in writing to withdraw their application prior to the drawing. Only the winner gets his withdrawal back and will then be free to be granted a CP and go build the station.

More Tape Available

Crash course videotapes of both the Phoenix and Las Vegas (and previous) crash courses are currently available to ICTV members for loan for one week. You may copy them for your own use while you have them.

Each crash course has some new material and different speakers. When attending conventions, crash courses, etc., in person, if you have heard one speech before, you have to sit through it again. Most of the time, like myself, you have heard the majority before. However, with videotape, you can fast forward past old material and just sit through the new. At the NTA Convention, we tried something new and will do this at future events. We taped interviews with some of the exhibitors. In the future, we will take time to do them all. Even attending these things in person, you often have trouble getting to really talk to some exhibitors; they are often tied up talking to other attendees and when they get to you, only tell you a little. On videotape, they give you the whole pitch and you discover things you would have missed even if you had been there.

The rules say that UHF requires these separations:

UHF	co-channel non-offset	210 miles
	co-channel offset	150 miles
	±1 channel	75 miles
	±2, 3, 4, 5 channels	20 miles
	+7 channels	60 miles
	-14 channels	70 miles
	-15 channels	75 miles

It turns out that the handy dandy chart we published previously was made up with 14 and 15 channels below that applied for. Believe it or not, these rules mean, when your channel is 14 and 15, which means the UHF station is 14 or 15 above your channel. The chart is corrected and rerun elsewhere in this issue.

U.S. Postal Service
STATEMENT OF OWNERSHIP, MANAGEMENT AND CIRCULATION
(Required by 39 U.S.C. 3685)

1A. TITLE OF PUBLICATION	1B. PUBLICATION NO.	2. DATE OF FILING
Lo-Power Community TV magazine	0 2 7 9 4 1 5 2	9/27/82
3. FREQUENCY OF ISSUE: MONTHLY	3A. NO. OF ISSUES PUBLISHED ANNUALLY: 12	3B. ANNUAL SUBSCRIPTION PRICE: $50.00

4. COMPLETE MAILING ADDRESS OF KNOWN OFFICE OF PUBLICATION (Street, City, County, State and ZIP Code) (Not printers): 7432 E. Diamond, Scottsdale, AZ 85257

5. COMPLETE MAILING ADDRESS OF THE HEADQUARTERS OR GENERAL BUSINESS OFFICES OF THE PUBLISHER (Not printer): Same as above

6. FULL NAMES AND COMPLETE MAILING ADDRESS OF PUBLISHER, EDITOR, AND MANAGING EDITOR (This item MUST NOT be blank)

PUBLISHER (Name and Complete Mailing Address): Harlan L. Jacobsen, 7432 E. Diamond, Scottsdale, AZ 85257

EDITOR (Name and Complete Mailing Address): Same as above

MANAGING EDITOR (Name and Complete Mailing Address): Same as above

7. OWNER (If owned by a corporation, its name and address must be stated and also immediately thereunder the names and addresses of stockholders owning or holding 1 percent or more of total amount of stock. If not owned by a corporation, the names and addresses of the individual owners must be given. If owned by a partnership or other unincorporated firm, its name and address, as well as that of each individual must be given. If the publication is published by a nonprofit organization, its name and address must be stated.) (Item must be completed.)

FULL NAME	COMPLETE MAILING ADDRESS
Harlan L. Jacobsen	7432 E. Diamond, Scottsdale, AZ 85257

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The purpose, function, and nonprofit status of this organization and the exempt status for Federal income tax purposes (Check one)
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2. Mail Subscription	244	192
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E. TOTAL DISTRIBUTION (Sum of C and D)	244	192
F. COPIES NOT DISTRIBUTED 1. Office use, left over, unaccounted, spoiled after printing	156	208
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11. I certify that the statements made by me above are correct and complete. SIGNATURE AND TITLE OF EDITOR, PUBLISHER, BUSINESS MANAGER, OR OWNER: Harlan L. Jacobsen

PS Form 3526, July 1982 (See instructions on reverse)

Lo-Power Community Television Magazine is published twelve times per year. Sample copies are $5, subscriptions $50 per year. Intended to supply needed information on low power television at reasonable cost.

Postmaster, send address changes to **7432 East Diamond, Scottsdale, Arizona, 85257. Telephone (602) 945-6746.** Mailed at second class rates at the main post office at Scottsdale, Arizona, 85257. USPO #601370.

November 1982 -- Issue #19

Alamogordo Update

Pete and Sara Warren, who's LPTV station we reported on in the September/October issues, said you do not have to go porno with your LPTV station to succeed.

Pete gave considerable updated details of the Alamogordo UHF 100 watt station operation at the NTA Convention.

Station operation began July 3rd with a $117,000 investment which includes studio to transmitter microwave, their own tower and mountain top building large enough and planned to accommodate several other LPTV and one FM station. Also included are studio facilities, including editing equipment and time base correctors and additional microwave equipment for doing remotes.

Set up as non-profit corporation that started with nothing, operating with a management contract, Mr. Warren stated they only have $34,000 now owing on the station. Donations, advance payments on advertising and trade outs and volunteers made up the difference.

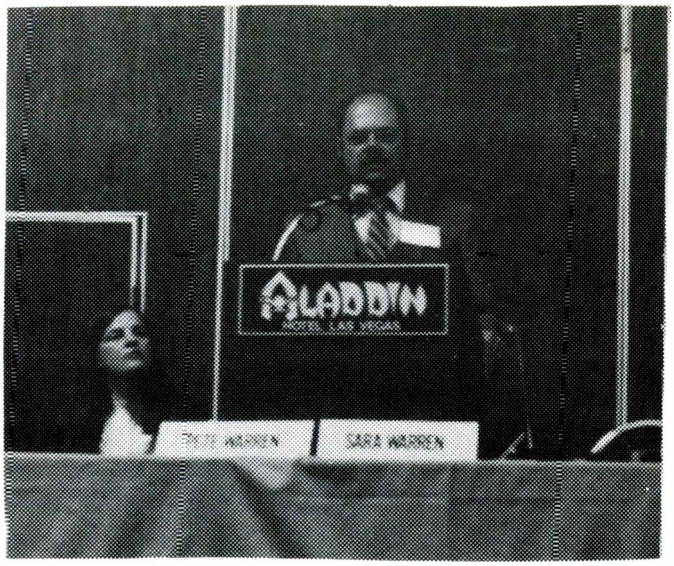
Operated as a Christian station, 25% to 30% is Christian oriented and the balance of programming secular.

The station picks up and directly translates on the mountain the programming of an El Paso independent station. When local origination, commercials or satellite supplied religious programming is used; it is carried to the mountain via microwave and switches off the translator mode and switches in a RCA modulator. The highest rated program is **Battlestar Galactica**, and the second most popular viewed program on the station is **Alamogordo Live**, a religious local broadcast from 9 to 11:30 every Saturday night.

The Warrens regularly trade out advertising for materials and services they need. He said it makes sense when it is advertising you would not get otherwise. The video equipment was a tradeout for $22,000. He even traded out with the local newspaper.

The building the station is housed in is owned by the local Baptist church and its use was traded out for weekly church service broadcasts from 11 to 12. Warren says that your 11 to 12 on Sunday should carry your highest rate card (his is $250). The church will furnish their own broadcast equipment and production. The church is one block away. The $250 tradeout is only for the time.

The Warrens feel you need a gimmick with your ad sales. Their ad rate is $30 for a 30 second prime time spot. A full minute runs 1.8 times a 30 second spot. The El Paso station gives them a prior schedule so they know when they can insert local commercials. The station sold charter advertiser memberships at a special 1/2 the rate card. They paid $630 each up front with a three year contract guaranteeing $12 per spot. After selling them on a membership, they ask how many memberships do you want--3?, or do you want 4 like Charlie Jones took.



The station employs a full time production manager and parttime volunteer. A parttime paid switcher, a part-time paid secretary. Salesmen are on commission only with one getting a $250 a month guarantee and car expenses. The commission paid is 25% of cold calls; 15% on house lead accounts and 10% on house accounts where the house signed the contract. Commercial production is charged $80 an hour in the field and they suggest shooting stock footage for later use while there. Changes in a commercial are made for $30 and a commercial made up and edited from stock footage is $30.

The station is running a banquet with a fund raising theme. The cost of the banquet at the hotel is traded out for advertising.

Warren says that when you run a religious station, you need a Christian manager who has total control of what goes on the air.

Warren says it is okay for a non-profit station to make money as long as the money is used to further the organization's purpose. In this case, the corporation plans to put the money into additional stations.

6 out of 7 of the car dealers have been signed with the 7th holding out for development of a robot he wants in his spots. Nearly every advertiser wants in on sponsoring **Alamogordo Live**, the Saturday night religious program.

The station is currently running $5,500 monthly ad revenue when they had only projected $3,000. By January they anticipate revenue may be up to $10,000 monthly.

They recently broadcast live from the fairgrounds by using a second set of microwave to go to the tower.

The studio is not in a high location, but since they have line of sight anywhere in the city to the tower location on the mountain, they can easily originate from anywhere in the city. The portable microwave cost around $7,000 including dishes.

Largest expense for the **Alamogordo Live** broadcast is electricity at about $100 a month lighting the broadcasts, and about $120 a month for light bulbs that wear out for that program.

For more information, contact Pete Warren at **Satellite Technology for Christ** at 3100 North Stanton, El Paso, Texas, 79902.

ICTV

Membership Information

Independent Community Television Alliance

- ☐ Local Power Hot Line -- 50 hours a week
- ☐ Subscription -- Monthly Lo-Power magazine
- ☐ Co-op Group Purchases of Equipment
- ☐ Expedited Washington Research Information
- ☐ Collective Lobbying for the Little Guy in LPTV
- ☐ Washington Follow-up on Applications
- ☐ Verbal Phone Access to Commission Data Base -- 6 Days a Week
- ☐ Use of Instructional 'How To' Videotapes (1 week free)
  Members pay only for shipping, handling, and record keeping

All Lo-Power Publishing personal copies of manuals and materials free of charge to ICTV members

INSTRUCTIONAL 'HOW TO' VIDEOTAPES AVAILABLE
(Use for one week; members pay only for shipping, handling and record keeping)

- ★ Techniques of Using One Camera
- ★ Setting up a Studio
- ★ Lighting for Television
- ★ Multiple Camera Techniques
- ★ Shooting Video 'Basics'
- ★ How to Shoot a Sports Event
- ★ How to Broadcast a Local Wedding
- ★ How to Broadcast a Church Service
- ★ Shooting Local Commericals for Cable or LPTV
- ★ Television Tape Production
- ★ LPTV Crash Course
- ★ LPTV Crash Course 'B'
- ★ Subscription TV
- ★ World's Smallest Full Service Station
- ★ The New Mavica 'Still Camera'

BOOKS AND MANUALS -- LOANED FOR

TWO WEEKS, FREE TO MEMBERS
(Members pay only for shipping,
handling and record keeping)

- ★ Color TV Studio Design and Operation
- ★ Videotape Production and Communication Techniques
- ★ Designing and Maintaining a Small Television Studio
- ★ Television Production Handbook
- ★ Video User's Handbook
- ★ TV Engineering Handbook (very large and heavy book)

The LPTV Association That Works

FREE APPLICATION ASSISTANCE HOTLINE FOR MEMBERS - 6 DAYS A WEEK

☆ **WE DO A COMPLETE RURAL AREA VHF LPTV FCC APPLICATION FOR YOU!** ☆
☆ Members' Price: $250 ☆

ICTV

Below is my application for membership in ICTV I have deducted $ _____ for which I have already paid Lo-Power Publishing for publications and enclose a check for $ _____ , the two totalling $250.00 for my one-year membership.

Independent Community Television Alliance 7432 E. Diamond, Scottsdale, AZ 85257

Membership Application

Individual(s) to contact: _____ _____
Name Position

_____ _____

Company _____

Address _____

City _____ State _____ Zip Code _____

Phone ( ) _____

New FCC Lottery Rulemaking

Before the
Federal Communications Commission
Washington, D.C. 20554

FCC 82-420
32121
086

In the Matter of)
)
Amendment of the Commission's)
Rules to Allow the Selection from) Gen. Docket No. 81-768
Among Certain Competing Appli-)
cations Using Random Selection or)
Lotteries Instead of Comparative)
Hearings */)

Adopted: September 23, 1982 Released: October 7, 1982

By the Commission: Chairman Fowler concurring in the result.

Second Notice of Proposed Rule Making

1. We have before us new legislation 1/ that amends Section 309(i) of the Communications Act of 1934, as amended. The Conference Report accompanying the legislation indicates that the Congress intends the Commission to enact implementing regulations within 180 days of passage. Thus, in light of the new legislation, we have determined to reopen this docket and seek additional comments. 2/

*/ The caption of this docket has been changed. Originally, the caption referred to Part 1 of the Commission's Rules. Because this proposal seeks to change several parts of the Rules, we have changed the caption accordingly.

1/ The Communications Amendments Act of 1982, P.L. 97-259, Section 115, enacted September 13, 1982, amended Section 309(i) of the Communications Act of 1934, as amended, 47 U.S.C. Section 309(i) (the "Act"). Pertinent portions of the statute are reproduced in Appendix C. A copy of the relevant section of the Conference Report, H. Rep. No. 97-765 at 37-49, will be placed in the docket and will be available for public inspection. Commenters are requested to review this guidance to the Commission closely.

2/ A petition for reconsideration of the first Report and Order was filed on March 24, 1982, by Victor M. Lopez. The petition, inter alia, requested the Commission to promulgate regulations under the initial lottery statute. Passage of the new lottery legislation moots Mr. Lopez' petition.

Introduction

2. This Notice proposes implementation of our recently amended authority to use a system of random selection or lottery to select a licensee when there is more than one application for an initial license for any use of the electromagnetic spectrum. 3/ This legislative action followed the Commission's first Report and Order in General Docket No. 81-768 4/ which concerned the previous version of this authority. We there declined to implement our authority to establish a random selection system because we were unable to devise a lottery which could achieve the stated legislative purposes within the statutory constraints. Many of the issues raised in the Docket to date have been resolved by the new legislation.

3. This Notice proposes certain services and applications which would be subject to a lottery and proposes procedures for the treatment of applications prior to the conduct of the lottery, the lottery itself and for the use of hearings in conjunction with the lottery. Additionally, specific rules are proposed for the awarding of preferences in the lottery. We solicit comment from the public on all of the proposals described in greater detail below.

Services and Applications Subject to Random Selection

4. The relevant legislative history of the lottery statute indicates that the Congress intended the Commission to use random selection techniques where the public interest would best be served. Factors that the Committee determined the Commission should consider include: whether there are a large number of available licenses; whether there are a number of mutually exclusive applicants for each license; whether there is a significant back-log of applications and a lottery would speed service to the public; and whether diversity of information sources would be enhanced. See H. Rep. 97-765 at 37-38 (hereinafter cited as "Conference Report").

5. Based upon these and other relevant criteria, the Commission believes that, at the present time, there are three types of services that are amenable to the use of random selection techniques. The three service areas are the low power television and television translator service, 5/ certain Private Radio Services and the public mobile common carrier radio service (excluding cellular).

3/ Proposed "major changes" would be treated as initial applications for lottery purposes. See 47 C.F.R. §§73.3571(a)(1), 73.3572(a)(1), 73.3573(a)(1). Hereinafter, all references to licenses should be construed to include construction permits, except where otherwise noted.

4/ Report and Order, Gen. Docket No. 81-768, 89 FCC 2d 257-296 (1982), concluding the proceeding commenced at 88 FCC 2d 476-508 (1981).

6. The Commission also proposes to use lotteries in other services on an ad hoc basis in those instances where the qualifications of competing applicants are so close that no material difference between the parties' ability to serve the public interest can be distinguished. 6/ We believe that there is adequate authority to use lotteries in these instances. While the Conference Report cites several relevant factors to consider in determining whether a lottery would serve the public interest, Conference Report at 37, it notes that random selection authority may also be used in "those services or instances in which it determines that [it] would be appropriate." Id. at 38 (emphasis added). The public interest, we believe, would be served by using a lottery in these cases since both public and private resources would be spared from further pursuing the comparative process and the new service would go on the air more quickly. In addition and, most importantly, if the subject service involved a "medium of mass communications," diversity could be enhanced through the operation of the appropriate preferences. 7/ We seek comment on the proposal to establish general authority to use lotteries and, where applicable, preferences in such instances.

7. We therefore propose to use lottery procedures in the services identified in this Notice and also on a case-by-case basis for such other applications as the Commission determines meet the criteria discussed in paragraph 4 above. Within that context, any proceeding in which the first application was tendered for filing after the effective date of the initial version of Section 309(i) (i.e., on or after August 14, 1981) may be subject to a lottery. In addition, all pending applications in the low power television service will be subject to a lottery, including those filed under the interim rules prior to August 14, 1981. 8/

5/ Hereinafter referred to as "low power television" or "LPTV".

6/ This will enable the Commission expeditiously to resolve the so-called "tied cases".

7/ See §1.1621(a) of the proposed Rules.

8/ Low power applicants have been on notice at least since adoption of our Low Power Report and Order that we intended to use a lottery system for low power television should one be authorized. See Low Power Report and Order, 47 Fed. Reg. 21468 (May 18, 1982). There, we stated, "[W]hen and if a system of random selection is instituted for choosing among competing broadcast applications, it, of course, will be applied to low power," Id. at 21472.

Low Power Television

8. Congress has stated its intention that a system of random selection should be applied to select low power television licensees. See Conference Report at 38. We seek comments on the implementation of new low power rules which will provide for a lottery procedure that is consistent with Congressional intent and the public interest. As noted above, the Commission has previously expressed its desire to use a lottery system for low power television, should one be authorized. Now that Congress has given us authority to implement a lottery and has expressed its intention that we do so, changes must be made in the procedures set forth in the Low Power Report and Order. Our proposed revision of Sections 73.3591 and 73.3593 to reflect these differences is included in the attached Appendix B.

Common Carrier Public Mobile Services.

9. We propose to implement a random selection procedure for the public land mobile service (excluding cellular) 9/, the rural radio service and the offshore radio service. In general, it is our view that a lottery would be useful in the public mobile service because of new frequency allocations which are expected to result in an extremely large number of mutually exclusive applications. New allocations for 35 MHz paging (CC Docket 80-189) 10/ have already occurred and 900 MHz paging (Gen. Docket 80-183) 11/ can be expected to result in an extremely large number of applications, with a substantial number

9/ The public land mobile service includes one-way land mobile service, two-way land mobile service, and the two-way air-ground mobile service. See 47 C.F.R. Part 22.

10/ 35 MHz applicants have been on notice since adoption of our 35 MHz First Report and Order that Congress might adopt lottery legislation and that the Commission might use the procedures for dealing with mutually exclusive applications that are in effect at the time the need to decide among applicant arises. 47 Fed. Reg. 34561 (Aug. 10, 1982).

11/ 900 MHz applicants have been on notice since adoption of our 900 MHz First Report and Order that, if mutually exclusive situations should arise, they would be resolved consistently with the prevailing procedures for deciding among such mutually exclusive applications. 47 Fed. Reg. 24557 (June 7, 1982).

involving mutually exclusive situations. 12/ Because of the large number of applications, our skepticism that existing comparative criteria will provide a meaningful mechanism for selecting applicants, and the overwhelming administrative burden that would result, we propose to implement a lottery procedure for applications filed in the public land mobile service. We seek comment on this proposal.

10. We have carefully reexamined our decision not to select cellular licensees through a lottery procedure, in light of the passage of lottery legislation, and we again conclude that a lottery would be inappropriate in the cellular service. First, random selection appears to be inappropriate for determining which competing cellular applicant, from a group whose proposals may differ in significant ways, shall be granted a license for the establishment of one of the only two systems in a market. A cellular system requires a high capital investment and great technical expertise to realize the maximum benefits of cellular technology. Because of the limited number of licenses that can be granted in this service, it is especially important that the selection process be designed to award a license to an applicant proposing a high-quality cellular system.

11. In addition, we have set forth only limited standards (see, e.g., Section 22.913 of the Commission's Rules) for determining whether applications are "acceptable for filing", leaving system coverage and quality to be determined by the comparative process. If we were to resort to a lottery, it would be necessary to establish threshold standards for applications, in order to avoid a rush of superficially "acceptable" lottery entries that would be incapable of fully implementing the promise of cellular radio. Yet applications for the top markets will have been filed by January 7, 1983, and it is unlikely that we would be able to adopt substantive standards before that time.

12. In the cellular rulemaking we recognized the need to develop procedures that would allow the public to receive cellular service with a minimum of delay. For that reason, we adopted a "set-aside" policy 13/ and established expedited hearing procedures. The latter procedures call for non-wireline applicants to submit their direct hearing case with their applications (in the thirty largest markets) and otherwise streamline the hearing process to insure a prompt resolution of application conflicts. We remain of the view that these procedures are the best way to proceed with the processing of mutually exclusive applications in this new and technologically complex service 14/.

13. We do propose to include both the rural radio service and the offshore radio service in the lottery procedure. The rural radio service is a fixed two-way service for rural areas where land-line service is impracticable. The offshore radio service is a fixed two-way service to serve offshore drilling platforms near Louisiana. We believe that in case mutually exclusive situations arise, in these two services, this approach will expedite service to the public and eliminate the administrative burden of lengthy comparative proceedings.

12/ When, in 1968, for example, the Commission allocated additional paging frequencies in its Guardband Paging Allocations, the Mobile Services Division was faced with hundreds of mutually exclusive applications. As a result, some application packages took almost 8 years to resolve.

13/ The need to expedite the provision of cellular service was but one of the reasons underlying the set-aside. In our Reconsideration Order in Cellular Communications Systems, 89 FCC 2d 58 (1982), we emphasized that the separate allocation of frequencies for wireline and non-wireline carriers was responsive to the concerns of the court of appeals in NARUC v. FCC, 525 F.2d 630 (D.C.Cir.), cert. denied, 425 U.S. 991 (1976). By providing (13/ continued on following page)

(13/ continued from previous page)
that there be two cellular systems per market -- one wireline and one non-wireline carrier -- we have insured that no single company will be able to operate a majority of cellular systems and that there will be continued vigorous competition between the two groups of carriers in all markets. 89 FCC 2d at 73.

We recognized that there were substantial public interest benefits accruing from the presence of local telephone companies in the provision of cellular service -- benefits arising from the substantial expertise of all telephone companies in "traffic engineering and the establishment of high capacity local switching networks" as well as from AT&T's leadership position in the development and implementation of cellular technology. 89 FCC 2d at 71.

But the set-aside policy is perhaps most important because it will expedite the implementation of cellular service by minimizing the delay due to comparative hearings. 89 FCC 2d at 70. Lotteries are, as we discuss above, not an appropriate way to minimize this delay in the cellular service.

14/ We note that many of the applications for the top thirty markets, filed under these procedures, will be ready to be granted or designated for hearing in the near future. The time that could be saved by using lotteries to select licensees in these markets could be as little as a few months.

Private Radio Services

14. In most of the Private Radio Services, licensees do not receive exclusive use of a frequency in a given geographic area, but must share it with other licensees. However, exclusive assignments are made for Aeronautical Advisory Stations in the Aviation Services (UNICOM Stations), and for Stations on Land in the Maritime Services (Public Coast Stations). Occasionally, comparative hearings have been necessary to select from among competing applicants. In applying the criteria specified in the Conference Report, it appears that selection by lottery would be appropriate in these two services. Private Radio licensees do not provide mass media services nor do they exercise editorial control through programming or the dissemination of information to the public at large. The Conference Committee's concerns about diversification of media information and ownership, therefore, are not applicable in the Private Radio Services and significant preferences are not at issue. A lottery system should facilitate the selection of qualified licensees in these two services. It appears that a lottery would bring service to the public in the quickest way possible, at the least cost to applicants, with no significant reduction in the qualifications of licensees. See Conference Report at 37-38.

15. While comparative hearings have not been necessary to date in other Private Radio Services, exclusive assignments are also made to certain Private Land Mobile stations operating at 300 MHz, 15/ and to Microwave stations in the Private Operational-Fixed Service. We have structured our release of 800 MHz frequencies in a fashion which groups generic categories of eligibles and which makes it likely that within each category of eligibility the qualifications of competing applicants to serve the public interest are without substantial material differences. Similarly, in the Private Microwave Service the differences in competing applicants would appear to be minimal in most cases. As the demand for private communications systems increases, we may receive more applications in these services than we can accommodate in the available spectrum. Significant backlogs could develop and a lottery might enable us to speed up the process of getting service to the public. We solicit comments on these and related issues, as, for example, whether selection by lottery should apply to applications in all the different classes of Private Land Mobile Services.

15/ In our recent Second Report and Order in the 800 MHz proceedings, PR Docket 79-191, 47 Fed. Reg. 41002 (Sept. 16, 1982), we made it clear that "should Congress adopt legislation giving us authority to assign channels based on a lottery, we [would] consider such a method to choose among competing applications."

Procedures

Broadcast Procedures

16. Once an application for a new license which is subject to our lottery procedures is tendered and found acceptable for filing, 16/ it will be listed in a public notice inviting competing applications until the specified cut-off date approximately thirty to sixty days later (the "A" list). Applications filed after the "A" cut-off date will not be eligible for consideration or grant as part of the already-initiated proceeding. Competing applications found acceptable for filing will be listed in a public notice ("B" cut-off list) announcing that the lottery will be conducted. This list will indicate the preferences for which the applicants certify they are eligible and their selection probabilities. Clerical or mathematical errors in this information should be brought to the Commission's attention immediately. The lottery will then be conducted and the tentative selectee will be named in a public notice providing an opportunity for the filing of Petitions to Deny.

Common Carrier Procedures

17. In the Common Carrier Public Mobile Services, the current public notice and pleading procedures found in Part 22 of our Rules will be used to govern the filing and processing of applications. Applications which are found to be mutually exclusive will, under our proposed lottery procedures, be included in a random selection proceeding under the Rules as proposed herein. The tentative selectee's application will then be reviewed along with any pleadings which have been timely filed. In the case of applications not selected in the random selection proceedings, petitions to deny and any related pleadings will not be considered.

18. If, after reviewing the randomly selected application and any related pleadings, the staff cannot conclude that a grant would serve the public interest, that application will be designated for an expedited hearing under the procedures proposed in this Notice. If, at the end of the hearing, the application is denied, a second random selection will be held from among the remaining applications in the original pool of mutually exclusive applicants. The newly selected application will be reviewed in the same fashion as described above.

Private Radio Services Procedures

19. As 800 MHz frequencies become available for assignment, the Commission periodically will issue a Public Notice stating that applications for those frequencies will be accepted for a time period specified in the Notice. If more applications are received during that period than may be accommodated on available frequencies, licensees will be selected by lottery shortly after the cut-off date specified in the Notice. Under the Communications Act and our Rules, Petitions to Deny may not be filed against applications for Private Land Mobile licenses. 47 U.S.C. § 309; 47 C.F.R. §1.962. Formal filings involving oppositions and replies will not be entertained. Furthermore, these applications do not involve "media of mass communications", as described in the Conference Report, and we therefore need not grant preferences. As stated in the Report, the lottery procedures for these non-media applications will be "extremely simple, with each applicant for a given license receiving a selection probability of 1/x, where x equals the total number of applicants." Conference Report at 46. Our purpose in proposing a lottery in these services is to expedite service to the public. We expect to process the applications of the tentative selectees in accordance with current procedures and we will designate applications for expedited hearings, where necessary, as described herein. Further details concerning each particular private land mobile lottery will be specified in the Public Notice.

20. In other Private Radio Services where we are proposing to select licensees by lottery when mutually-exclusive applications are filed (i.e., UNICOM stations in the Aviation Services and Public Coast Stations in the Maritime Services), or when the number of applications exceeds the available supply of frequencies, as in the Private Operational-Fixed Microwave Service, Petitions to Deny will be entertained under our proposed Rules, in accordance with statutory requirements. 47 U.S.C. §309. We also are concerned in these services, however, that our processing time for applications not be lengthened as a result of the lottery procedures. Because significant preferences are not at issue in these services and basic qualifications are more easily determined and fulfilled than in many other services, we are proposing to streamline the lottery in the Private Radio Services. We propose that Petitions to Deny, as well as competing applications, be filed before, not after, the lottery is conducted. This should enable us to eliminate the necessity of a second time-consuming Public Notice inviting Petitions to Deny. As a result, we should be able to expedite the processing of these applications, as we have done in the past. We are proposing to treat the Private Radio Services differently because we are concerned that the lottery procedures for these "non-media" services be "extremely simple". 17/ See Conference Report at 46. After the lottery is conducted, the Petitions to Deny against the tentative selectee will be reviewed and qualifications will be determined by the staff consistent with current procedures. We propose to conduct expedited hearing proceedings, if necessary, in the same manner as all other services subject to selection by lottery.

Lottery Procedures

21. The lottery function would begin with the list of all the applicants which contains their final probabilities, including all preference factors, where appropriate. The applicants would then each be assigned a portion of the interval between .000 and .999, according to their selection probabilities. For example, if there were three applicants with probabilities .25, .25, and .50 respectively, the first applicant would have the interval .000 to .249, the second applicant would have .250 to .499, and the third would have .500 to .999. The next step would be to generate a random number in the range of .000 to .999. We expect to use a lottery device or machine for this task. The tentative selectee would be the applicant in whose interval the random number fell.

22. The Commission is concerned about the integrity of the random selection process. To ensure that this process operates in a fair and equitable manner, the system for generating random outcomes and any equipment used in this activity will be available for public review and inspection. Additionally, we expect that the public, including individual applicants, will be permitted to attend the sessions when random selections are made. In accordance with the spirit of the Government in the Sunshine Act, 5 U.S.C. § 552b, we are proposing that public notice of the drawings will be made at least seven days in advance. The Commission may from time to time as may be necessary to ensure a completely fair and objective lottery, modify, revise, or replace any procedures or equipment associated with operation of the lottery.

General Post-Lottery Procedures

Petitions to Deny

23. In the broadcast service, the public notice announcing the tentative selectee will provide an opportunity for the filing of petitions to deny only against the tentative selectee within a specified period in those services in which

17/ In the future, however, if any applications involving mass distribution of video entertainment are processed by lottery, we would propose to grant appropriate significant preferences in accordance with statutory requirements.

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such petitions properly lie and in which they have not been filed prior to the lottery. If no petitions to deny have been filed against the tentative selectee, that application will be reviewed by the staff to determine that the applicant is fully qualified to be awarded the license and either a grant or a hearing designation order will be issued. The tentative selectee will have twenty days from the deadline for Petitions to Deny announced in the Public Notice to file an opposition and then the petitioner will have twenty days in which to file a reply. Following a review of these pleadings and the application, either a grant or hearing designation order (paper, oral or both) will be issued. Procedures regarding petitions to deny in the common carrier and private radio services are specified in paragraphs 18-19 and 20-21, respectively.

Hearings

24. A Memorandum Opinion and Order on the petions to deny will dispose of issues that do not raise substantial and material questions of fact and will also designate any remaining issues for hearing and include the pleading schedule to be followed by the parties. 18/ Actions on petitions to deny which do not raise new or novel issues may be taken by delegated authority.

25. We anticipate that most petitions will be resolvable at the staff level without the necessity of a hearing and that most hearings will be paper hearings conducted before the Commission. 19/ The Commission en banc will receive the evidence and issue the final decision regarding the tentative selectee's qualifications. The appropriate Bureau will serve as advisor to the Commission. As such, the Bureau will be responsible for reviewing and analyzing pleadings, and preparing a draft of the final decision. The Bureau will not appear as a party unless the Commission orders it to do so in a particular case. 20/

26. With regard to the paper hearing, the public notice will instruct the applicant to submit its direct case in writing on or before the date set in the notice. This will be approximately 30 days from the release date of the notice. The direct written case must set forth all those facts and characteristics related to the issues in the designation order. Documentary evidence upon which the applicant relies must be attached. Each exhibit must be numbered and must be accompanied by an affidavit from someone with personal knowledge of the facts therein attesting to the truth of the submission. The public notice will also specify those petitioners to deny that directly raised an issue designated in the public notice and inform them of the opportunity to submit a written rebuttal case within twenty (20) days after the direct case is due. As with the direct case, documentary evidence submitted with the rebuttal case must be placed in a numbered exhibit and accompanied by an appropriate affidavit from someone with personal knowledge of the facts therein. A request may be submitted for oral hearings and cross examinations or other mechanisms by parties in the proceeding at the time the rebuttal case is due and, in the case of applicants, within ten days after the rebuttal case is due. A party submitting such a request must state the subject matter of the desired cross-examination or other mechanism and the basis for it, such as the scope of examination, the evidence to be presented, the reason why the evidence is material to the outcome of the proceeding, the reason why an oral hearing with cross-examination is necessary to bring out this evidence, and the evidence in the record which would be contradicted by the cross-examination.

27. The Commission intends to dispose of as many lottery applications as possible pursuant to the paper procedures described above. When reviewing the rebuttal case before it, the Commission also will consider any requests for oral testimony. However, as we stated in our low power television decision 21/

18/ Applicants are reminded of the prohibition against ex parte presentations to decision-making Commission personnel in adjudicative proceedings prior to or after designation for hearing. 47 C.F.R. §1.1203. Because of the various Bureaus' role as advisor to the Commission regarding these applications, the Bureau Chiefs and their pertinent staffs will be considered to be decision-making Commission personnel with regard to any hearing, paper or otherwise, conducted pursuant to the procedures prescribed herein. However, should any of the Bureau staff be designated as separated trial staff for the purpose of participating as a party in any such hearing, that separated trial staff shall be non-decision-making personnel. Such staff shall be separated from decision-making personnel.

19/ As we stated in our low power television and 800 MHz decision, we believe that we may be able to shorten the administrative process through the use of a modified paper proceeding directly administered by the Commission. Low Power Television Broadcasting and Television Translators, Report and Order, BC Docket No. 78-253, FCC 82-107, 47 Fed. Reg. 21468, 21484 (May 18, 1982). See Note 8, supra. See also Cellular Communications Systems, 86 FCC 2d 469, 499-501 (1981), procedures modified in part on reconsideration, 89 FCC 2d 56, 90-94 (1982).

20/ Of course, should the Bureau participate as a party, it will not advise the Commission regarding that case unless its party participation is through a separated trial staff.

21/ Low Power Television Broadcasting and Television Translators, 47 Fed. Reg. at 21485.

and 800 MHz decision 22/ we will order oral testimony only in limited circumstances; i.e., where it is shown that the party will be prejudiced by a paper proceeding without oral testimony; where a substantial and material question of fact which would affect the outcome cannot be resolved without oral testimony; or where oral testimony would otherwise be required by the public interest. If the Commission makes a decision on the basis of the written direct and rebuttal cases and any other authorized pleadings, the request for oral testimony will be deemed denied. No separate order will be issued disposing of the request for oral hearing.

28. If the Commission concludes that an oral proceeding is necessary, it will issue an interlocutory order directing an Administrative Law Judge to hear a particular issue or issues. The order will specify the issue or issues and set a prehearing conference to establish a discovery (where applicable) and trial schedule. 23/ The Administrative Law Judge ("ALJ") shall conduct the proceeding and certify the entire record made before him to the Commission. Where an issue is raised sua sponte or where the Commission determines that Bureau participation is necessary, the Bureau will be represented by a separated trial staff.

29. Following completion of the proceedings (paper, oral or both), the staff shall submit for Commission action the record from the paper proceeding and if any, the transcript from the oral procedure before the ALJ. The Commission, with the assistance of the appropriate Bureau staff will either grant the license to the tentative selectee or shall find the tentative selectee unqualified. In the latter case, a second lottery will be held from among the remaining applicants, based upon recomputed selection probabilities. We request interested parties to comment on the above proposals and solicit other proposals with respect to the low power hearing procedures.

Other Matters

Certification

30. All applicants, as part of their application for any service named above in which random selection may be used, shall include a certification that the applicant is the real party in interest and that no agreement, either explicit or implicit, has been made to transfer or assign the license at a later date to any other party. See Conference Report at 45-46.

22/ See note 17, supra.

23/ Only at this point may applicants avail themselves of the discovery procedures normally available in adjudication cases.

Applicants in services subject to a lottery shall append to their application a certification signed and dated by the applicant(s) as follows: 24/

I (We) hereby certify that no agreement, either explicit or implicit, has been entered into for the purposes of transferring or assigning to another party, any station construction permit or license or interest therein that is awarded as a result of a random selection or lottery.

(Applicant)

Restrictions on Transfer of Construction Permits or Licenses

31. The Conference Report states that when utilizing a lottery to award licenses in a medium of mass communications, the Commission should apply its present "anti-trafficking" rules, 47 C.F.R. §73.3597, or similar protections. It is the Conferees' belief that such action is necessary in order that the preference scheme not be "undermined by the rapid re-assignment or transfer of stations, construction permits or licenses granted by a lottery", Conference Report at 45. In the Low Power proceeding, the Commission adopted a one-year holding period on new licenses awarded by virtue of a comparative preference. 47 Fed. Reg. 21468, 21490 (May 18, 1982). We propose, consistent with the legislative history, that the same rule be retained in the lottery context, with respect to applications for low power stations. With respect to other media of mass communications, we propose to apply our present anti-trafficking rules. We encourage public comment on the accuracy of this interpretation of the Conference Report.

Amendments to Applications

32. In order to ensure that lottery selection percentages are accurate and that the purposes of the statutory preference scheme are achieved, each applicant has an affirmative duty promptly to notify the Commission and all other parties to the proceeding by amending its application to reflect any changes in ownership thereof or in the holdings of the applicant's owners in any other media of mass communications which might affect

24/ The Commission intends, as a matter of administrative convenience, to include the required certification in Form 346 for low power television applications. This will be accomplished in another proceeding. Until that time, certification can be accomplished by amendment, for those already on file, or by attachment, for new applications. The low power application also will be amended to include claims for the preferences.

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preference eligibility. For example, when an applicant for several low power licenses wins one lottery, its preference status would change in other lotteries. Thus, we propose to amend Section 1.65 of our Rules to require that notification of such changes be made within seven days of the completion of any such changes made after the application was tendered for filing up to the date on which the public notice listing all applicants for a particular lottery is released. No such amendments will be permitted to increase the selection percentage of the applicant. 25/ In conducting the lottery following an amendment, the Commission shall recompute selection percentages based on the reduced preference eligibility of the applicant in question. Preference eligibility changes occurring thereafter will affect selection percentages only if a second lottery is conducted.

33. All other amendments will continue to be subject to Section 1.65 and any other pertinent portion of our Rules. However, applicants are cautioned that Section 1.65 requires the filing of amendments "as promptly as possible and in any event within 30 days...." 47 C.F.R. §1.65. In keeping with the purpose of the lottery procedure to expedite the licensing process, applicants who file amendments will be expected to demonstrate full compliance with that rule (i.e., that the amendment was filed as promptly as possible). 26/ We solicit comments on the practicability of these proposals.

Motions to Enlarge

34. Similarly, parties who file motions under Section 1.229 will be expected to act expeditiously. We propose to delete that portion of Section 1.229(b) which extends to 30 days from 15 days the period within which the filing of such motions is permitted in comparative broadcast cases insofar as it applies to applications subject to a lottery.

Eligibility for Minority and Diversity Preferences

35. This section of the Notice sets forth the Commission's proposals for initially determining the amount of minority ownership and diversity preference that should be allocable to an applicant. We request commenters to respond in detail to any and all of the following proposals.

25/ This is consistent with present broadcast policy, as has been recognized in the low power Report and Order. See 47 Fed. Reg. at 21482, paragraph 55.

26/ In the common carrier public mobile services, the Commission recently proposed additional rule revisions designed to streamline the procedures related to filing of amendments. See "Notice of Proposed Rule Making," Mimeo 31724, released Sept. 8, 1982.

36. If a sole proprietor applicant is a "minority," he will receive a minority preference. If he owns more than a 50% ownership interest in a medium of mass communications, that ownership interest is attributable to him for the purpose of calculating the diversity preference.

37. The Committee Report states that the Commission shall, with respect to the diversity and minority preferences, "evaluate ownership in terms of ... the partners in the case of a partnership." Id., at 45. We interpret the quoted language literally to include both general and limited partnership interests. We seek comments on various approaches of determining partnership ownership for purposes of allocating preferences. One approach would be to evaluate the profit interests attributable to each of the general and limited partners. Under this approach, if the partnership agreement requires that more than 50% of the partnership applicant's profit be paid to minority group partners, the partnership applicant would qualify for a minority preference. Another approach would be to analyze the capital accounts of the general and limited partners. Under this approach, if the capital accounts of the minority group partners equal more than 50% of the firm's total capital accounts, the partnership applicant would qualify for a minority preference. Comments on these and other possible approaches are sought.

38. For the purpose of determining any diversity preference eligibility, the Commission proposes to consider the media holdings of the partnership itself and the combined cognizable holdings of the partners. The Committee Report indicates that a determination of media ownership should be based on whether the applicant's owners hold a controlling interest (more than 50%) in other mass media. See Conference Report at 42. Based upon this guidance, we propose that if a partnership applicant's investors together own over 50% of any medium of mass communications, then that ownership interest will be attributable to the applicant. However, if the partnership applicant's principals together own 30% of medium A, 40% of medium B and 15% of medium C, the applicant will be eligible for a full diversity preference. The Commission proposes here to use a baseline of 1% for cognizable ownership interests by limited partners. 27/ Thus, in a limited partnership, a limited partner must take 1% or more of the partnership's profits before that partner's other media interests are counted. However, any ownership interest over 50% in any medium of mass communications that is held (1) by the partnership itself, or (2) individually or collectively by either limited partners that take 1% or more of the profits or general partners of the applicant will be attributable to the applicant for the purpose of determining the

27/ The one percent standard is in accord with current ownership attribution benchmarks. 47 C.F.R. §§73.35, 73.240 and 73.636, note 3.

diversity preference. We intend to treat non-stock corporations and unincorporated associations in a manner similar to partnerships in which each member holds an equal share.

39. The legislative history directs that trust ownership "will be evaluated in terms of the identity of the beneficiary." Id. at 45. Generally, we propose to treat trusts as we have proposed to treat general partnerships. If the trust itself or any individual or group of named beneficiaries from an applicant trust controls over 50% of any other media of mass communications, those ownership interests would be attributable to the trust applicant. We seek comments on whether all named beneficiaries should be treated similarly regardless of their income from the trust, or whether the Commission should evaluate only those beneficiaries that receive 1% or more of the trust income.

40. With regard to the minority ownership preference, the Commission will take into account the racial or ethnic characteristics of all of the named trust beneficiaries. If over 50% of the applicant trust's beneficiaries are minorities, the applicant trust will be entitled to a minority preference in the lottery.

41. The Committee Report directs the Commission to "evaluate ownership in terms of the beneficial owners of the corporation" for both the media ownership and minority ownership preferences. Id., at 45. It is our intention to require corporate applicants seeking a lottery preference to specify the beneficial owners of the corporation. Thus, corporate applicants seeking lottery preferences will be required to certify the beneficial owners of the corporation's voting stock.

42. We propose granting a minority preference to those corporate applicants who certify at the time of application that over 50% of their voting stock is held by a minority. With regard to the diversity preference, we are proposing that only beneficial owners of 1% or more of the applicant's voting stock will be considered in determining the applicant's diversity preference. If one or more of those owning more than 1% of the corporate applicant, either individually or collectively, control more than 50% of any other medium of mass communications, then that ownership interest will be attributable to the applicant for calculating the diversity preference.

43. Consistent with our other cross ownership policies we propose to treat the other media ownership interests of the applicant as cognizable for calculating the diversity preference. However, we seek comment on whether this interpretation is consistent with the legislative history cited above. It will be the responsibility of any applicant seeking a diversity preference to demonstrate its eligibility for such preference.

44. The diversity preference must be modified for all applicants, however, to accommodate the Committee Report's particular concern with local ownership interests. The Report notes that "the avoidance of local ownership concentration should continue to be a factor of major significance in promoting diversity in the licensing process." Id., at 43. Moreover, the Report directs that "no media ownership preferences should be awarded to any applicant whose owners, when aggregated, have controlling interest (over 50 percent) in any medium of mass communications which [is licensed to serve] the community of license for which of (sic) the grant is sought." Id. Thus, in view of this language, we propose to make ineligible for a diversity preference, those applicants the owners of which collectively own more than 50% of a local medium of mass communications. The Commission proposes to require applicants seeking a diversity preference to certify whether they have a controlling interest in any media of mass communications licensed to serve, franchised to serve (in the case of a cable television system), or primarily serves (in the case of a daily newspaper the community wherein the license of permit is sought. See Conference Report at 43.

CONCLUSION

45. Authority for this proposed rulemaking is contained in Sections 1, 3, 4 (i) and (j), 303, 309(i) and 403 of the Communications Act of 1934, as amended (49 U.S.C. §§151-609).

46. The major objective of this proceeding is to develop a process of random selection or lottery for choosing a licensee when there is more than one application for an initial license for any use of the electromagnetic spectrum. In addition, it is intended to provide preferential treatment to groups and individuals who are minorities or who own few or no other media of mass communications.

47. The legislative history of Section 309(i), as amended, provides substantial guidance as to the structure of lottery proceedings. Commenters are urged to set forth their analyses and proposals within its context.

48. Comments on all aspects of the analysis and proposed rules in this Notice are encouraged. However, in preparing their submissions, commenters should bear in mind that a set of comments and reply comments have already been submitted in this docket. Commenters are strongly urged not to be repetitive. Due to the time constraints imposed by the statute, we do not contemplate extensions of the comment period.

49. Pursuant to applicable procedures set forth in §§1.415 and 1.410 of the Commission's Rules, interested parties may file comments on or before November 12, 1982, and reply comments on or before December 3, 1982. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. It is our firm intention not to grant any extensions of time on the comment and reply deadlines. In reaching its decision, the Commission may take into consideration information and ideas not contained in the comments, provided that such information or a writing indicating the nature and source of such information is placed in the public file, and provided that the fact of the Commission's reliance on such information is noted in the Report and Order.

50. For purposes of this non-restricted notice and comment rulemaking proceeding, members of the public are advised that ex parte contacts are permitted from the time the Commission adopts a notice of proposed rule making until the time a public notice is issued stating that a substantive disposition of the matter is to be considered at a forthcoming meeting or until a final order disposing of the matter is adopted by the Commission, whichever is earlier. In general, an ex parte presentation is any written or oral communication (other than formal written comments/pleadings and formal oral arguments) between a person outside the Commission and a Commissioner or a member of the Commission's staff which addresses the merits of the proceeding. Any person who makes an ex parte presentation must serve a copy of that presentation on the Commission's Secretary for inclusion in the public file. Any person who makes an oral ex parte presentation addressing matters not fully covered in any previously-filed written comments for the proceeding must prepare a written summary of that presentation on the day of oral presentation, that written summary must be served on the Commission's Secretary for inclusion in the public file, with a copy of the Commission official receiving the oral presentation. Each ex parte presentation described above must state on its face that the Secretary has been served, and must also state by docket number the proceeding to which it relates. See 47 C.F.R. §1.1231.

51. As required by Section 603 of the Regulatory Flexibility Act, the FCC has prepared an initial regulatory flexibility analysis (IRFA) of the expected impact of these proposed policies and rules on small entities. The IRFA is set forth in Appendix A. Written public comments are requested on the IRFA. These comments must be filed in accordance with the same filing deadlines as comments on the rest of the Notice, but they must have a separate and distinct heading designating them as responses to the regulatory flexibility analysis. The Secretary shall cause a copy of this Notice, including the initial regulatory flexibility analysis, to be sent to the Chief Counsel for Advocacy of the Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act Pub. L. No. 96-354, 94 Stat. 1164, 50 U.S.C. §601 et seq. (1981).

52. To file formally in this proceeding, participants must file an original and five copies of all comments, reply comments, and supporting comments. If participants want each Commissioner to receive a personal copy of their comments, an original plus eleven copies must be filed. Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, Washington, D. C. 20554. Comments and reply comments will be available for public inspection during regular business hours in the Dockets Reference Room (Room 239) of the Federal Communications Commission, 1919 M Street, N. W., Washington, D. C. 20554. For further information on this proceeding, contact Randy W. Thomas in the Office of the General Counsel (202) 632-6990.

FEDERAL COMMUNICATIONS COMMISSION

William J. Tricarico
Secretary

Appendix A -- Initial Regulatory Flexibility Analysis

Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. §601 et seq., the Commission issues the following initial regulatory flexibility analysis.

Reason for Action and Objective

The proposed action will in certain instances allow lotteries to be used instead of comparative hearings to choose among mutually exclusive competing applications for a license. This proposal also grants a preference to groups and individuals who are minorities or who own few or no other media of mass communications. This action is expected to greatly lower the cost and speed the process of granting licenses in mutually exclusive cases.

Legal Basis

The authority for this proposed rulemaking is contained in Sections 1, 3, 4(i) and (j), 303, 309 and 403 of the Communications Act of 1934, as amended (47 U.S.C. §§ 151-609).

Small Entities Affected

The proposed action will substitute lotteries for comparative hearings as a way to choose among mutually exclusive competing applicants for certain telecommunications licenses. It will also give a preference to minorities and those who own few or no other media of mass communications.

Existing and potential applicants for FCC licenses range in size from single individuals and small partnerships to large multi-million dollar corporations. This proposal is expected to decrease the legal and administrative costs of applying for a license. Hence many small businesses and non-profit organizations which have not applied for licenses in the past may see this as an opportunity to enter the communications business and may now apply for licenses. Therefore, we expect that we may have many more applicants for some kinds of license then we did in the past.

Specific Alternatives that Could Accomplish the Same Objectives

At least two alternatives exist to the lottery proposal. One would be to retain the present comparative hearing process. Another alternative to using lotteries to choose among applicants for licenses would be to auction off those licenses to the highest bidder. However, the Commission does not appear to have statutory authority to hold an auction. The Congress has directed the Commission to implement a licensing lottery. Hence, there is no known alternative to establishing lottery procedures at the present time. Relevant Federal Rules That May Conflict, Duplicate or Overlap the Proposed Rule

The proposed action involves modifying a number of Commission rules; to our knowledge there is no Federal rule that conflicts with, duplicate or overlap the proposals made in this Notice.

Reporting, Record-keeping and Compliance Requirements

The rule changes discussed in this proposal, if adopted, will have some attendant paperwork requirements. Applicants seeking a preference in the lottery will be required to certify to the Commission their eligibility for the preferences sought. In addition, the statute authorizing a lottery specifies that the Commission "shall have authority to require" qualified applicants to submit "such information as may be necessary to enable the Commission to make a determination regarding whether such applicant shall be granted such preference." 47 U.S.C. §309(i)(3)(B). Thus, applicants seeking a lottery preference will be required to comply with the Commission's definitional regulations specifying preference eligibility and retain such records as may be necessary to demonstrate eligibility for the preference.

APPENDIX B - PROPOSED RULES

PART 1 - PRACTICE AND PROCEDURE */

Subpart F Private Radio Services Applications and Proceedings

§1.953 [Amended]

In Section 1.953, paragraph (a) is amended by adding after "Applications are processed in sequence according to date of filing" the words "or pursuant to the system of random selection prescribed in §1.972 and ____ of this part", to read as follows:

§1.953 How applications are processed

(a) Applications are processed in sequence according to date of filing, or pursuant to the system of random selection prescribed in §§1.972 and ____ of this part. Applications which are in accordance with the provisions of this chapter and established policies of the Commission may be processed to completion in accordance with the applicable delegations of authority as set forth in Part 0 of this chapter.

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§1.972 [New]

A new Section 1.972 concerning grants by random selection is added to read as follows:

§1.972 Grants by random selection

(a) The provisions of this section, including provisions incorporated by reference, shall apply to applications for initial licenses:

(1) for stations in the following Private Radio Services:

Part 81 - Stations on Land in the Maritime Services (Public Coast Stations)

Part 87 - Aviation Services (Aeronautical Advisory Stations, i.e. UNICOM stations)

Part 90 - Private Land Mobile Services

*/ Corresponding changes to other Part 1 sections will be made, as appropriate at the conclusion of this proceeding.

Part 94 - Private Operational-Fixed Microwave Services

(ii) In any other proceedings in the Private Radio Services in which the Commission determines that there is no material difference in competing applicants' abilities to serve the public interest.

(b) Applications in the services specified above shall be tendered, filed, accepted or dismissed, publicly noted, and subject to Petitions to Deny in accordance with Section 1.962 and the rules established for each respective service.

(c) If there are mutually exclusive applications for an initial license for stations subject to Part 81 or Part 87, or if there are more applications for initial licenses in Part 90 or Part 94 than can be accommodated on available frequencies, the Commission may process the applications pursuant to a system of random selection. Each such random selection shall be conducted under the direction of the Chief of the Private Radio Bureau. The selection percentages, preferences, and probability calculations prescribed in Section 1.1621 et seq. of this part shall not be applicable to any system of random selection conducted in the Private Radio Bureau. Following the random selection, the Commission shall announce the tentative selectee and determine whether the tentative selectee is qualified to receive the license under the rules applicable to the respective service. Where authorized under Section 1.962, Petitions to Deny which have been filed against the tentative selectee will be reviewed and processed prior to grant, in accordance with Section 1.962 and those rules applicable to each respective service. If the Commission determines that the tentative selectee has satisfied all requirements, it shall grant the application. If the Commission is unable to make such a determination, it shall order that another random selection be conducted from among the remaining applicants. If the Commission determines that a substantial and material question of fact exists, it shall designate the question for hearing. Hearings may be conducted by the Commission or the Chief of the Private Radio Bureau, or, in the case of a question which requires oral testimony for its resolution, an Administrative Law Judge.

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§1.973 [Amended]

Section 1.973 is amended by removing out-dated language and adding a provision concerning random selection, to read as follows:

§1.973 Designation for hearing.

(a) If the Commission is unable to make the findings prescribed in §1.971(a) and does not utilize the system of random selection prescribed in §1.972 of this part, it will formally designate the application for hearing on the grounds or reasons then obtaining and will notify forth-with the applicant and all other known parties in interest of such action.

(b) Orders designating applications for hearing will specify with particularity the matters and things in issue and will not include issues or requirements phrased generally.

(c) Parties in interest, if any, who are not notified by the Commission of its action in designating a particular application for hearing may acquire the status of a party to the proceeding by filing a petition for intervention showing the basis of their interest not more than 30 days after publication in the Federal Register of the hearing issues or any substantial amendment thereto.

(d) Any hearing subsequently held upon such applications shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. Hearings may be conducted by the Commission or by the Chief of the Private Radio Bureau, or, in the case of a question which requires oral testimony for its resolution, an Administrative Law Judge. The burden of proceeding with the introduction of evidence and burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission.

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Subpart L - Random Selection Procedures For Mass Media Services (New)

General Procedures

1.1601 Scope

I. The provisions of this subpart, including provisions incorporated by reference, shall apply to applications for initial licenses or construction permits in

(a) the following services:

Low Power Television Broadcasting

(b) any other proceeding in which the Commission determines that there is no material difference in certain competing applicant's ability to serve the public interest.

1.1602 Designation for Random Selection

(a) Applications in the services specified in Section 1.1601 shall be tendered, accepted or dismissed, filed, publicly noted and subject to random selection and hearing in accordance with the rules established for the pertinent class of service. Competing applications for an initial license or construction permit shall be designated for random selection and hearing in accordance with the procedures set forth below.

(b) Where, after hearing, the Commission determines that there are no material differences in certain competing applicant's ability to serve the public interest, it shall designate their applications for random selection. In such situations, the provisions of 1.1604 shall not apply.

1.1603 Conduct of Random Selection

(a) Each random selection shall be conducted under the direction of the Chief of the appropriate Bureau.

(b) The random selection probabilities will be calculated in accordance with the formula set out in rules 1.1621-1.1623. The Chief of the appropriate Bureau shall certify such probabilities are accurate.

1.1604 Post-Selection Hearings

(a) Following the random selection, the Commission shall announce the tentative selectee and, where otherwise permitted, invite petitions to deny its application. Following the responsive pleadings thereto, the Commission shall:

(1) in the case of low power television stations, take action pursuant to either rule 73.3591, 73.3592 or 73.3593.

(b) If, after such hearing as may be necessary, the Commission determines that the tentative selectee has met the requirements of rule 73.3591(a) it will make the appropriate grant. If the Commission is unable to make such a determination, it shall order that another random selection be conducted from among the remaining mutually exclusive applicants, in accordance with the provisions of this subpart.

(c) If, on the basis of the papers before it, the Commission determines that a substantial and material question of fact exists, it shall designate that question for hearing. Hearings may be conducted by the Commission or the appropriate Bureau Chief, or, in the case of a question which requires oral testimony for its resolution, an Administrative Law Judge.

Selection Percentages

1.1621 Definitions

(a) Medium of Mass Communications means

(1) a daily newspaper, */

and a license or construction permit for

(2) a television (including low power) station,

(3) a standard (AM) radio station,

(4) an FM radio station,

(5) a multipoint distribution system,

(6) a direct broadcast satellite transponder, and

(7) a cable television system.

(b) Minority Group means

(1) Blacks,

(2) Hispanics,

*/ For purpose of this definition, a daily newspaper is one which is published four or more days per week, which is in the English language, and which is circulated generally in the community of publication. A college newspaper is not considered as being circulated generally. See 47 C.F.R. §§ 73.35, 73.240 and 73.636, note 10 (1981).

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(3) American Indians,

(4) Alaska Natives,

(5) Asians, and

(6) Pacific Islanders.

(c) Owner means the applicant and any individual, partnership, unincorporated association, or corporation who

(1) if the applicant is a proprietorship, is the proprietor,

(2) if the applicant is a partnership, holds a partnership interest, **/

(3) if the applicant is a trust, is the beneficiary thereof,

(4) if the applicant is an unincorporated association or non-stock corporation, is a member, or

(5) if the applicant is a stock corporation, holds voting shares. **/

1.1622 Preferences

(a) Any applicant desiring a preference in the random selection shall so indicate as part of its application. Such an applicant shall list any owner who owns all or part of a medium of mass communications or who is a member of a minority group, together with a precise identification of the ownership interest held in such medium of mass communications or name of the minority group, respectively. Such an applicant shall also state whether more than 50% of the ownership interests in it are held by members of minority groups and the number of media of mass communications more than 50% of whose ownership interests are held by its owners.

(b) Preference factors as incorporated in the percentage calculations in rule 1.1623, shall be granted as follows:

**/ For purposes of applying the diversity preference to limited partnerships and corporations only the other ownership interests of limited partners or stockholders with a 1% or more interest in the corporation or profits of the partnership will be cognizable.

(1) Applicants, more than 50% of whose ownership interests are held by members of minority groups - 2:1.

(2) Applicants whose owners hold more than 50% of the ownership interests in no other media of mass communications - 2:1.

(3) Applicants whose owners hold more than 50% of the ownership interest in one, two or three other media of mass communications - 1.5:1.

(c) Applicants may receive preferences pursuant to § 1.1622(b)(1) and either § 1.1622(b)(2) or (b)(3).

(d) Preferences will be determined on the basis of applicants' ownership as of the date of the most recent Public Notice which lists all applications acceptable for filing, except where modified by an amendment to an application filed prior to the cut-off date specified in such Public Notice which reduces the applicant's preference eligibility.

(e) No preferences pursuant to §1.1622(b)(2) or (b)(3) shall be granted to an applicant whose owners control more than 50% of a medium of mass communication which is licensed or franchised to serve or, in the case of a newspaper, primarily serves the community for which the license is sought.

1.1623 Probability Calculation

(a) All calculations shall be computed to three significant digits.

(b) Divide the total number of applicants into 1.00 to determine pre-preference probabilities.

(c) Multiply each applicant's pre-preference probability by the applicable preference from rule 1.1622(b)(2) or (b)(3).

(d) Divide each applicant's probability pursuant to (c) by the sum of such probabilities to determine intermediate probabilities.

(e) Add the intermediate probabilities of all applicants who received a preference pursuant to rule 1.1622(b) (2) or (b)(3).

(f) (1) If the sum pursuant to (e) is less than .40, then multiply each such intermediate probability by the ratio of .40 to such sum. Divide .60 by the number of applicants who did not receive a preference pursuant to

rule 1.1622(b) (2) or (b)(3) to determine their new intermediate probabilities.

(2) If the sum pursuant to (e) is .40 or greater, take no action.

(g) Multiply each applicant's probability pursuant to (f) by the applicable preference ratio from rule 1.1622(b)(1).

(h) Divide each applicant's probability pursuant to (g) by the sum of such probabilities to determine the final selection percentage.

Common Carrier Mobile Service Rules

47 CFR § 22.23(a) */is amended to read as follows:

§ 22.23 Amendment of applications.

(a) Amendments as of right.

A pending application may be amended as a matter of right within 90 days from the filing date of the application, provided that:

(1) Amendments shall comply with § 22.29, as applicable; and

(2) No amendment to an application will be permitted after a petition to deny has been filed unless the amendment responds to all objections raised in all petitions such that any petitions may be dismissed.

47 CFR § 22.23(b) is amended by deleting "or comparative evaluation" and by substituting "or selected under the random selection process," to read as follows:

(b) The Commission or the presiding officer may grant requests to amend an application designated for hearing or selected under the random selection process only if a written petition demonstrating good cause is submitted and properly served upon the parties of record.

47 CFR §22.28(a) is amended by deleting ". . . either . . ., or prior to selection of the comparative evaluation procedure of §22.35 . . .," to read as follows:

*/ The language in §22.23 tracks CC Docket 80-57, which revises and updates various rule sections in Part 22. See Notice of Proposed Rulemaking, Mimeo 31724, released Sept. 8, 1982.

(a) Except as provided under §22.29, any application may be dismissed without prejudice as a matter of right if the applicant requests its dismissal prior to designation for hearing. An applicant's request for the return of his application after it has been accepted for filing will be considered to be a request for dismissal without prejudice. Requests for dismissal shall comply with the provisions of §22.29 as appropriate.

47 CFR §22.28(b) is amended by deleting, in the first sentence, the language ". . . either . . . or after selection of the comparative evaluation procedure of §22.35," and by deleting paragraph (2) and renumbering paragraph (3) as (2), to read as follows:

(b) A request to dismiss an application without prejudice will be considered after designation for hearing only if:

(1) A written petition is submitted to the Commission and is properly served upon all parties of record; and
(2) The petition complies with the provisions of §22.29 (whenever applicable) and demonstrates good cause.

47 CFR §22.28(c) is amended by deleting the language " . . . or selection of the comparative procedure of §22.35" and substituting the language" . . . or after selection under the random selection process . . .," to read as follows:

The Commission will dismiss an application for failure to prosecute or for failure to respond substantially within a specified time period to official correspondence or requests for additional information. Dismissal shall be without prejudice if made prior to designation for hearing or prior to selection under the random selection process, but dismissal may be made with prejudice for unsatisfactory compliance with §22.29 or after designation for hearing or after selection under the random selection process.

47 CFR §22.23(b) is amended by deleting the language, " . . . will be entitled to comparative consideration with one or more conflicting applications . . ." and substituting the language, " . . . will be included in a random selection process . . .," to read as follows:

(b) An application will be included in a random selection process only if:

• • • • •

47 CFR §22.23(c) is amended by deleting the language, " . . . in order to be considered comparatively with B, . . ." and substituting the lanuage" . . . In order to be included in the random selection process, . . ." to read as follows:

(c) Whenever three or more applications are mutually exclusive, but not uniformly so, the earliest filed application establishes the date prescribed in paragraph (b)(2) of this section, regardless of whether or not subsequently filed applications are directly mutually exclusive with the first filed application. [For example, applications A, B and C are filed in that order. A and B are directly mutually exclusive, B and C are directly mutually exclusive. In order to be included in the random selection process, C must be filed within the "cut-off" period established by A even through C is not dierctly mutually exclusive with A,]

47 CFR § 22.31(e) is amended by deleting the language " . . . designated for comparative hearing, or for comparative evaluation (pursuant to § 22.35 . . ., "and substituting the language" . . . selected under the random selection process . . .," to read as follows:

(1) The application has been selected under the random selection process, and the Commission or the presiding officer accepts the amendment pursuant to § 22.23(b);

47 CFR § 22.3(e)(4) is amended by deleting the language" . . . entitled to comparative consideration of their applications . . ." and substituting ". . . entitled to participate in a random selection process . . .," to read as follows: 4

(4) The amendment reflects only a change in ownership or control which results from an agreement under § 22.29 whereby two or more applicants entitled to participate in a random selection process join in one or more of the existing applications and request dismissal of their other application(s) to avoid the random selection process.

47 CFR § 22.32(b) is amended by deleting the language of sub-paragraph(b)(2), and substituting the language," The application is not subject to the random selection procedures set forth in Part I of this chapter," to read as follows:

(b) The grant shall be without a formal hearing if, upon consideration of the application, any pleadings or objections filed, or other matters which may be officially noticed, the Commission finds that:

(1) The application is acceptable for filing, and is in accordance with the Commission's rules, regulation, and other requirement;

(2) The application is not subject to the random selection procedures set forth in Part I of this Chapter.

47 CFR § 22.32(e) is amended by deleting sub-paragraphs (e)(3) and (e)(4), which discuss comparative hearing procedures, to read as follows:

(e) The Commission will designate an application for a formal hearing, specifying with particularity the matters and things in issue, if, upon consideration of the application, any pleadings or objections filed, or other matters which may be officially noticed, the Commission determines that:

(1) A substantial and material question of fact is presented;

(2) The Commission is unable for any reason to make the findings specified in paragraph (a) of this section and the application is acceptable for filing, complete, and in accordance with the Commission's rules, regulations, and other requirements.

47 CFR § 22.32(f) is amended by deleting the language ". . . paragraph (e) of this section after an appropriate hearing conducted in accordance with the provisions of § 22.35 or Part I of this Chapter," and substituting the language" . . . paragraph (e) or Part I of this Chapter," to read as follows:

(f) The Commission may grant, deny or take other action with respect to an application designated for a formal hearing pursuant to paragraph (e) or Part I of this Chapter.

47 CFR § 22.32(g) is amended by deleting the present language, which discusses conditional grants of mutually exclusive applications, and sutstituting a new paragraph (g) to read as follows:

(g) Random selection procedure. Where two more applications are mutually exclusive as set forth in § 22.21, the random selection procedure shall apply as set forth in Part I of this Chapter, except that cellular applications shall be considered as set forth in subpart K of this part.

47 CFR § 22.35 is deleted and reserved. This rule, which discusses an optional procedure related to comparative

proceedings, is rendered obsolete by the random selection process. Rules § 22.35 will therefore be eliminated.

Section 73.3591, Grants without Hearing, will be revised to add the following:

(d) In the case of mutually exclusive low power television applications, the FCC will use the process of random selection set forth in Section 1.____ to resolve the mutual exclusivity. If the FCC is subsequently unable to make all the findings specified in paragraph (a) of this section in favor of the applicant selected, it will designate the application for hearing.

Section 73.3593 will be revised as follows:

§73.3593 Designation for hearing.

If the FCC is unable, in the case of any application for an instrument of authorization, (except in the case of low power television) to make the findings specified in §73.3591(a), it will formally designate the application for paper hearing as set forth in §1.221. In the case of low power television applications, if after random selection (see Section 73.3591(d)) or in the case of a single applicant, the FCC is unable to make all the findings specified in Section 73.3591(a), it will designate the application for paper hearing as set forth in Section 1.221. If, after culmination of the paper hearing, the FCC determines that oral testimony is necessary, the FCC will designate the application for oral hearing for purposes of cross examination. In designating an application for hearing, the FCC will notify the applicant and all known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally.

PART 81 (Stations on Land in the Maritime Services)

§81.51 [New]

A new Section 81.51 concerning grants by random selection is added to read as follows:

§81.51 Grants by random selection.

If there are mutually exclusive applications for an initial license under this part, the Commission may grant the applications pursuant to the system of random selection prescribed in §§1.972 of this chapter.

. . . . . .

PART 87 (Aviation Services)

§87.48 [New]

A new Section 87.48 concerning grants by random selection is added to read as follows:

§87.48 Grants by random selection.

If there are mutually exclusive applications for an initial license under this part, the Commission may grant the applications pursuant to the system of random selection prescribed in §1.972 of this chapter.

. . . . . .

PART 90 (Private Land Mobile Radio Services)

§90.143 [Amended]

Section 90.143 is amended by adding new paragraph (b) concerning grants by random selection, and redesignating paragraph (b) as (c), to read as follows:

§90.143 Grants of Applications

(b) All applications in pending status will be processed in the order in which the application acceptable for filing was received by the Commission; provided, however, that if there are more applications than can be accommodated on available frequencies, the Commission may grant the applications pursuant to the system of random selection prescribed in §1.972 of this chapter.

Redesignate paragraph (b) as (c).

PART 94 (Private Operational-Fixed Microwave Service)

§94.37 [Amended]

In Section 94.37, a new paragraph (c) concerning grants by random selection is added to read as follows:

§94.37 Grant of application without hearing

. . . . . .

(c) All applications in pending status will be processed in the order in which the application acceptable for filing was received by the Commission; provided, however, that if there are more applications than can be accommodated on available frequencies, the Commission may grant the applications pursuant to the system of random selection prescribed in §1.972 of this chapter.

. . . . . .

APPENDIX C

Section 309(i) of the Communications Act now reads as follows:

(1) If there is more than one application for any initial license or construction permit which will involve any use of the electromagnetic spectrum, then the Commission, after determining that each such application is acceptable for filing, shall have authority to grant such license or permit to a qualified applicant through the use of a system of random selection.

(2) No license or construction permit shall be granted to an applicant selected pursuant to paragraph (1) unless the Commission determines the qualifications of such applicant pursuant to subsection (a) and section 308(b). When substantial and material questions of fact exist concerning such qualifications, the Commission shall conduct a hearing in order to make such determinations. For the purpose of making such determinations, the Commission may, by rule, and notwithstanding any other provision of law

(A) adopt procedures for the submission of all or part of the evidence in written form;

(B) delegate the function of presiding at the taking of written evidence to Commission employees other than administrative law judges; and

(C) omit the determination required by subsection (a) with respect to any application other than the one selected pursuant to paragraph (1).

(3)(A) The Commission shall establish rules and procedures to ensure that, in the administration of any system of random selection under this subsection, used for granting licenses or construction permits for any media of mass communications, significant preferences will be granted to applicants or groups of applicants, the grant to which of the license or permit would increase the diversification of ownership of the media of mass communications. To further diversify the ownership of the media of mass communications, an additional significant preference shall be granted to any applicant controlled by a member or members of a minority group.

(3)(B) The Commission shall have authority to require each qualified applicant seeking a significant preference under subparagraph (A) to submit to the Commission such information as may be necessary to enable the Commission to make a determination regarding whether such applicant shall be granted such preference. Such information shall be submitted in such form, at such times, and in accordance with such procedures, as the Commission may require.

(C) For purposes of this paragraph:

(i) The term "media of mass communications" includes television, radio, cable television, multipoint distribution service, direct broadcast satellite service, and other services, the licensed facilities of which may be substantially devoted toward providing programming or other information services within the editorial control of the licensee.

(ii) The term "minority group" includes Blacks, Hispanics, American Indians, Alaska Natives, Asians, and Pacific Islanders.

(4)(A) The Commission, not later than 180 days after the effective date of the enactment of the Communications Amendments Act of 1982, shall after notice and opportunity for hearing, prescribe rules establishing a system of random selection for use by the Commission under this subsection in any instance in which the Commission, in its discretion, determines that such use is appropriate for the granting of any license or permit in accordance with paragraph (1).

(4)(B) The Commission shall have authority to amend such rules from time to the extent necessary to carry out the provisions of this subsection. Any such amendment shall be made after notice and opportunity for hearing.

Deciding on a Market to File In

Check the following before deciding.

1. Population
2. % on the cable
3. Per capita income
4. Local economy's condition
5. Growth?
6. Competition
   a. Radio
   b. Newspapers, etc.
   c. Cable selling ads?
   d. Other LPTV applicants
7. Sales tax revenue
8. Tax base
9. How many competitors for each LPTV channel?
10. Cost to build
11. Good tower site available
12. Amount of rural people you can cover that cable never will.

STV--Pay Per View

An STV expert speaking at the NTA said there are now 1.6 million subscribers for STV in the United States. He said that the larger the market, the more expensive marketing became per sale. He said that pay per view was the way to go; that those charging flat rate services were selling movies by the ton. Only about 15 movies a year were really any good, in his opinion, about an equal number were tolerable, and the rest junk. Slant your ads, 'Why pay for all those movies when you only watch a few?' He suggested offering pay per view where if they didn't want to watch anything, they didn't pay anything. He said their experience was that 30% to 60% in a locality would subscribe. He said many movies that were a dud in theatres where the young people were the market did very well on STV where mostly mature adults were the market. Example--Hello Dolly.

The Dorson Corporation will be offering a new movie service and special pay per view 'Show Biz' on satellite in 1983, currently available on videotape. They may help finance stations signing up for their movie service. The speaker suggests having the local Sears' or other stores sell the addressable decoders and make arrangements for you to turn on the units over the air when they sign up. The speaker suggested the STV operator may want to be in the video recorder, tapes and disc business locally.

Another speaker, explaining the movies and TV said the normal pattern for movies released in this order:

1. Theatres first
2. Then cassette sales
3. Then STV to hotels
4. Then to pay TV
5. Then to ad supported networks
6. Then into syndication.

Atlanta Super and CNN-2 Selling to Low Power?

The News Channel out of Atlanta is reported selling to LPTV stations any part of their news at 8¢ per month per family covered. No actual representative was in attendance at the NTA, so we will have more on that later.

The Atlanta superstation is reported not to be considering being totally available for full time rebroadcast but is instead considering making some syndicated programming carried on satellite as well as sports available to LPTV at reasonable rates.

Lo-Power Magazine will be doing an article on news programming for LPTV and list other news services available to LPTV operators now in a future issue.

More & More LPTV Programming Becoming Available

A Trickle Now, a Flood Soon

Besides the Select TV movie channel being available for subscription TV for LPTV, Oak Industries has announced it will soon supply STV programming starting in February 1983 and that it will offer its standard ON fare to low power stations. The system will offer two telstar transponders to supply the service with one on eastern and the other on western time zone.

A two tier service will be offered. The basic tier will consist of movies, specials, and possibly some national sports. An adult tier will also be offered. Pay per view programming will also be offered. For example--over half of present ON viewers recently paid per view to see Star Wars. Oak will scramble the satellite link and the individual station will need a decoder that will be sold to the station, or leased.

Oak Industries is based in San Diego and can be reached for additional information at (714) 485-9300.

FCC - 2, Geller Still 0

Geller, the operator of a one man Gloucester, Massachusetts FM station for 18 years, lost again on an appeal after he had his license renewal denied by the FCC as we reported in a past issue. Despite pretenses of deregulation of programming by the FCC, Geller, who had no public complaints, was denied renewal originally because of 'inadequate' (FCC term) non-entertainment programming (he essentially ran classical music). A large broadcaster wants his channel and Geller readily obtained assistance from his listeners who organized a group of classical music listeners who organized under the acronym S.O.S. (Save Our Station) and helped Geller appeal the ruling. Geller lost again with this appeal to the Commission and vows to appeal one more time, this time through the court system.

We will keep you posted on this interesting 'little guy' development.

Single Applicant Files Over 260 Mutually Exclusive Applications in One Day?

OTHER BROADCAST AND CABLE INTERESTS
OF
OWEN BROADCASTING ENTERPRISES

1. Applicant has no present broadcast or cable interests.

2. Applicant principal, Dennis H. Owen, filed in June, 1981, applications for new Low Power Television Broadcast Stations meeting the exception moratorium for the following cities:

Waycross, Georgia	Chanute, Kansas
The Dalles, Oregon	St. Mary's, Pennsylvania
Cedar City, Utah	Kalispell, Montana
Millinockett, Maine	Ottumwa, Iowa
Wabash, Indiana	Douglas, Arizona
Kane, Pennsylvania	Alpena, Michigan
Bend, Oregon	Gallup, New Mexico

3. Applicant principal, Dennis H. Owen, filed in August, 1982, a pending aplication for a new Low Power Television Broadcast Station for Glenwood Springs, Colorado.

4. Applicant filed in August, 1982 pending applications for new Low Power Television Broadcast Stations for the following markets:

ALABAMA

Brilliant	Channel 2
Florence	Channels 49, 56, 66

ARIZONA

Flagstaff	Channels 24, 24, 26, 32
Florence/Globe	Channels 7, 25
Lake Havasu City	Channel 3
Peach Springs	Channel 76
Prescott	Channels 13, 29, 59
Sanders	Channel 6
Superior/Florence	Channel 35
Young	Channel 7

ARKANSAS

Ash Flat	Channel 12
Hardy	Channel 24
Jonesboro	Channel 27
Paragould	Channel 51
Searcy	Channels 41, 44, 63, 50
Sulphur Springs	Channel 26

CALIFORNIA

Arroyo Grande	Channel 31
Big Bar-Del Loma	Channel 11
Clovardale	Channel 27
Goleta/Santa Barbara	Channel 8
Laguna Beach	Channel 3
Litchfield	Channel 48
Menlo Park	Channel 66
Nelson	Channel 49
Oroville	Channel 55
Placerville	Channel 43
San Luis Obispo	Channel 2
Santa Barbara	Channels 8, 14, 21, 32
Sonoro	Channel 25
Susanville/Herlong	Channel 63

COLORADO

Alamosa	Channel 12
Breckenridge	Channel 33
Cortez	Channels 24, 28
Delta	Channel 35
Gateview/Lake Fork	Channel 39
Lake City	Channel 48
Rangely	Channel 3
Sargents	Channel 51
Vail	Channel 33

CONNECTICUT

Waterbury	Channel 12

DISTRICT OF COLUMBIA

Washington	Channel 14

FLORIDA

Homosassa Springs	Channels 14, 27
Inverness	Channel 34
Ocala	Channel 68
Sebring	Channel 67
Vero Beach	Channels 47, 50

GEORGIA

Hazlehurst	Channel 57
Waycross	Channel 29

IDAHO

Burley/Twin Falls	Channel 23
Challis	Channel 4
Clayton	Channel 4
Elk Bend	Channel 7
Preston	Channel 24
Sandpoint	Channel 16

INDIANA

Monticello	Channel 57

IOWA

Ottumwa	Channels 5, 7, 9, 11, 13 58, 65
Sheldon	Channel 57

KANSAS

Emporia	Channel 14, 25
Independence	Channel 57
Iola	Channel 14, 30
Manhattan	Channel 3
Salina	Channels 5, 6

LOUISIANA

Leesville/De Ridder	Channel 16

MAINE

Caribou	Channels 15, 17, 19

MARYLAND

Clear Springs	Channel 47
Cresaptown	Channel 16
Cumberland	Channel 52

MASSACHUSETTS

Harwich	Channel 23
Hyannis	Channels 8, 33
Nantucket	Channel 17

MICHIGAN

Hancock	Channel 22
Ironwood	Channel 24

MINNESOTA

Baudette	Channel 6
Fergus Falls	Channel 17
Grand Rapids	Channel 30
Marshall	Channel 39
Park Rapids	Channel 5
Red Lake	Channel 65
Roseau	Channel 5
Saint Cloud	Channel 13
Warroad	Channel 3
Willmar	Channel 27

MISSISSIPPI

Biloxi	Channels 11, 49, 51, 57, 66
Laurel	Channel 51

MISSOURI

Carrollton	Channel 29
Rolla	Channel 19

MONTANA

Belgrade/Bozeman	Channel 28
Glendive	Channel 22
Judith Gap	Channel 11
Kalispell	Channel 18
Livingston	Channel 31
Miles City	Channel 18
Red Lodge	Channel 17
West Glacier	Channel 5

NEVADA

Carson City	Channel 15
Mesquite	Channel 12
Upper Quinn River	Channel 8

NEW JERSEY

Cape May	Channels 3, 5, 11, 13

NEW MEXICO

Alamogordo	Channel 5
Clovis	Channel 16
Farmington	Channels 27, 39, 47, 52
Gallup	Channel 17
Hillsboro	Channel 2, 13
Raton	Channel 12
Silver City	Channel 25
Taos	Channels 3, 28, 38

NEW YORK

Bridgehampton	Channel 51
Jamestown	Channel 43
Olean	Channel 42
Southampton	Channel 29

NORTH CAHOLINA

Cullowhee	Channel 66
Rockingham	Channel 52
Southern Pines	Channels 3, 7, 10, 12

NORTH DAKOTA

Carrington	Channels 10, 13
Edgeley	Channel 8
Jamestown	Channels 2, 32
Milton	Channel 30
Windsor/Eldrige	Channel 32

OHIO

Ashland	Channel 59
Bucyrus	Channel 22
Lima	Channel 18
Nelsonville	Channel 69

OKLAHOMA

Ardmore	Channel 17
Elk City	Channel 27
Erick	Channel 58

OREGON

Baker	Channel 20
Cottage Grove	Channels 47, 49
Prineville	Channel 39
The Dalles	Channel 26
Winston	Channel 29

PENNSYLVANIA

Centre Hall	Channel 41
Oil City	Channel 32
Williamsport	Channel 20

PUERTO RICO

Aquadilla	Channel 10
Arecibo	Channels 27, 60
Bayamon	Channels 56, 62
Cagaus	Channels 5, 49
Carolina	Channel 9
Ensenada/Guanico	Channel 26
Fajardo	Channels 5, 34
Hato Rey	Channel 8
Jayuya	Channel 20
Luquillo	Channel 34
Mayaguez	Channel 66
Ponce	Channels 13, 53, 59
Sabana Grande	Channel 62
San German	Channel 50
Utuado	Channel 46
Yabucoa	Channel 5
Yauco	Channel 66

SOUTH DAKOTA

Tripp	Channel 8

TENNESSEE

Cookeville	Channel 44
Jackson	Channels 22, 25, 32, 50

TEXAS

Brownwood	Channel 28
Bryan	Channels 7, 9, 11, 13, 50
Corsicana	Channel 29
Del Rio	Channel 14
Denison	Channels 26, 65
Eagle Pass	Channel 52
Fairfield	Channel 41
Fredericksburg	Channel 55
Huntsville	Channels 23, 23
Lufkin	Channels 16, 28, 38
Nacogdoches	Channels 11, 13, 32
Palestine	Channels 17, 48
Pampa	Channel 21
Paris	Channels 25, 36, 36
Uvalde	Channels 3, 5, 7, 9, 13
Victoria	Channels 3, 5, 11, 13, 64

UTAH

Aurora	Channel 51
Logan	Channels 47, 51
Samak	Channels 7, 9, 11, 13

VIRGIN ISLANDS

Charlotte Amalie	Channel 6

WASHINGOTN

Ashford	Channel 10
Bellingham	Channel 53
Centralia	Channel 47
Colville	Channel 46
Ephrata	Channel 15
Fords Prairie	Channel 23
Galvin	Channel 25
Keller	Channel 13
Moses Lake	Channel 36
Wenatchee	Channel 53

WEST VIRGINIA

Mathias	Channel 17

WISCONSIN

Adams	Channel 64
Land O Lakes	Channel 16
Saint Germain	Channel 45

WYOMING

Cheyenne	Channel 33
Ethete	Channels 7, 9, 11
Lander	Channel 5
Laramie	Channels 15, 21
Riverton	Channels 17, 21
Sheridan	Channel 21

ENGINEERING DATA

1. Facilities requested

a. Output Channel No. / Frequency: MHz	Transmitter Output Power	Proposed Principal Community or Communities to be served	Primary Station (station to be rebroadcast)
13 / 210 MHz	10 watts	City: Saint Cloud; State: Minnesota; Estimated total population to be served: 37,657	Call: N/A; Channel No.; City: See exhibit P; State:; Frequency: MHz
b. Input Channel No. / Frequency: MHz	If station is to operate via another translator station, indicate call sign and location of final intermediate translator.		
N/A	N/A		

2. Proposed transmitter location

City	County	State
Saint Cloud	Benton	MN

Address or other description of location	Geographical coordinates of transmitting antenna to nearest second
Tower located as specified in BPTVL 820623F5	North Latitude: 45 ° 46 ' 03 "; West Longitude: 94 ° 08 ' 04 "

Attach as Exhibit No. a map or maps (preferably topographic, if obtainable, such as U. S. Geological Survey quadrangle) for the area of the proposed transmitter location and show drawn thereon the following data:

a. Scale of miles.
b. Proposed transmitter location accurately plotted.
c. Principal community to be served by the proposed TV or FM translator station, clearly identified and labeled.
d. Locations of all known radio stations (except amateur), such as AM, FM, TV, Translator, Police, Fire, Aeronautical, Public Utility, etc., and known commercial or government receiving sites, within the immediate vicinity of the proposed transmitter location.

3. Transmitter

Make	Type No.	Rated output power (watts) P
Emcee	TTV-10-RM	10 watts

4. Transmission line:

Make	Type No.	Length	Rated efficiency E for length given (decimal fraction)
Andrew	HJ5-50	500'	.91

5. Transmitting antenna

Make	Type No. 1/	Description 1/	Power gain G (multiplier) in lobe of maximum radiation relative to a half-wave dipole
Bogner	Bavo	stacked dipoles	2.8

Orientation 1/	Height above ground 1/	Elevation of site 1/	Elevation of Community 1/	Effective radiated power R (R = P • E • G)
N/A	500'	1105'	1105'	25.48 watts

1. Give basic type using general descriptive terms such as half-wave dipole, "low-gain" with screen, corner reflector, 10 element Yagi, 4 element in-phase array, two stacked 5 element Yagis, etc.
2. Show the direction of the main radiation lobe in degrees with respect to true north in a 360 degree horizontal azimuth, numbered clockwise, with true north as zero azimuth.
3. Show height to topmost portion of structure, including highest top-mounted antenna and beacon if any.
4. Show the ground elevation above mean sea level at the base of the transmitting antenna supporting structure.
5. Show the average elevation of the community above mean sea level, or in lieu thereof, the commonly used elevation figure for the community to be served.

FCC Form 346 (Page 6)
June 1981

Approved by OMB
3060-0016
Expires 5/31/83

(Section I)

UNITED STATES OF AMERICA
FEDERAL COMMUNICATIONS COMMISSION

APPLICATION FOR AUTHORITY TO CONSTRUCT OR MAKE CHANGES IN A TV OR FM BROADCAST TRANSLATOR STATION

FOR COMMISSION USE ONLY
File No. BPTVL 820921SN

RECEIVED
SEP 21 1982
OFFICE OF THE SECRETARY

1. Name of applicant (See Instruction C)

Owen Broadcasting Enterprises

Street Address: 3636 Talluna Ave. #206
City: Knoxville; State: TN; ZIP Code: 37919
Telephone (include Area Code): 615/522-6237

2. Name and address of person to whom communications should be sent, if different from Item 1

Name: Dennis H. Owen
Street Address: Same
City: Same; State: ; ZIP Code:
Telephone (include Area Code): Same

3. Purpose of application (check one)

☒ Construct a new station
☐ Modify an existing authorization

4. If authority to make changes in an existing station is requested:

a. Present facilities

Specify transmitter output power, and your call sign:

N/A

Principal Community or Communities served:
City: N/A; State: N/A

b. If this application is for changes to an existing authorization, complete Section I of this form and any of the paragraphs necessary to show all substantial changes in information filed with the Commission in prior applications or reports. In the space below short Paragraphs submitted herewith and so as Paragraphs and sub noted herewith refer to the prior application containing the requested information in accordance with Instruction B.

Paragraph No.	Reference (File or Form No. and Date)
☐ 1 through 14 of Section III	N/A
☐ 1 through 13 of Section III	

5.(a) Is applicant the licensee of primary station? 1/
☐ YES ☐ NO

5.(b) If answer to 5(a) is No, has written authority been obtained from the licensee of the station whose programs are to be retransmitted?
☐ YES ☐ NO N/A LPTV

6. Station Identification

Indicate how station identification will be made:
☒ FSK (Amplitude Modulation of FM Aural Carrier)
☐ By Primary Station ☐ Not Required

Instructions

A. This form is to be used in applying for authority to construct a new TV or FM Broadcast Translator Station, or to make changes in an existing TV or FM Broadcast Translator Station. This form consists of this part, Section I, and the following sections:

Section II. Legal, Financial Qualifications
Section III. Engineering Data

B. Prepare three copies of this form and all exhibits. File all the above with the Federal Communications Commission, Washington, D. C. 20554.

C. Number exhibits serially in the space provided in the body of the form and list each exhibit in the space provided on page 2 of this section. Date each exhibit.

D. The name of the applicant stated herein shall be the exact corporate name, if a corporation; if a partnership, the names of all partners and the name under which the partnership does business; if an unincorporated association, the name of an executive officer, his office and the name of the association.

E. Information called for by this application which is already on file with the Commission need not be refiled in this application provided (1) the information is now on file in another application or FCC form filed by or on behalf of this applicant, (2) the information is identified fully by reference to the file number (if any), the FCC form number, and the filing date of the application or other form containing the information and the page or paragraph referred to, and (3) after making the reference the applicant states: "No changes since date of filing". Any such reference will be considered to incorporate into this application all information, confidential or otherwise, contained in the application or other form referred to. The incorporated application or other form will thereafter, in its entirety, be open to the public.

F. This application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; by an officer, if the applicant is a corporation; by a member who is an officer, if the applicant is an unincorporated association; by such duly elected or appointed officials as may be competent to do so under the laws of the applicable jurisdiction, if the applicant is an eligible government entity; or by the applicant's attorney in case of the applicant's physical disability or of his/her absence from the United States. The attorney shall, in the event he/she signs for the applicant, separately set forth the reason why the application is not signed by the applicant. In addition, if any matter is stated on the basis of the attorney's belief only (rather than knowledge), he/she shall separately set forth reasons for believing that such statements are true.

G. Before filling out this application, the applicant should familiarize himself with the Communications Act of 1934, as amended, Parts 1, 2, 73, 74, and 17 of the Commission's Rules and Regulations.

H. BE SURE ALL NECESSARY INFORMATION IS FURNISHED AND ALL PARAGRAPHS ARE FULLY ANSWERED. IF ANY PORTIONS OF THE APPLICATION ARE NOT APPLICABLE, SPECIFICALLY SO STATE. DEFECTIVE OR INCOMPLETE APPLICATIONS MAY BE RETURNED WITHOUT CONSIDERATION.

FCC Form 346

Rumors of Class Action Suit Against LPTV Paper Mills

Several rumors have reached this desk of contemplated class action suits but no names have surfaced yet but will be reported here as soon as they are.

Class actions are a legal suit filed against a party or parties on behalf of all the parties in the country who have been wronged All of the parties who have been cheated, deceived, misrepresented, have defective applications, etc., in any way have a legitimate claim, do not need to be all named or identified. On some occasions, attornies will take it on a 'no retainer' basis, relying on collecting a percentage of the eventual settlement which can often be considerable.

Several parties in Texas reported to be willing to contribute to: A. Class action lawsuit, B. Contract (not fussy which).

Enough evidence seems readily available to successfully conclude such a suit to recover money paid plus damages. Also enough people involved to make such a suit worthwhile.

If you are one of the parties damaged or have a claim and want to contribute to the people doing the filing of the suit, send along your name and a brief summary of your complaint and we will pass it along. One thing about a class action suit is that it cannot be dropped (only with permission of all parties in the class).

Another Way to Get on the Local Cable

The Alamogordo (see article on update elsewhere) LPTV translates the El Paso independent most of the time, and since Alamogordo is in its ADI, the El Paso stations filing a request made it legally necessary for the Alamogordo cable system to carry it on the cable.

However, the cable system management said it would be several months before they could order the equipment, etc., to put it on the system. The station management offered to furnish the equipment immediately, which they did, and that is how the Alamogordo LPTV got on the cable system almost right from the start.

SMALL MAGAZINE

We held up the November magazine waiting for the promised November cutoff list, but since it has not materialized by November 10, we are going ahead and mailing the magazine first class again and to save weight and costs, have left out several pages of how to use the 50-50 charts and also on the new low cost studio equipment for under $7,000. We recently attended the visual communications congress in Los Angeles and have a few things to report on that--all in the next issue.

We had some rumblings of financing to 'slick up and expand' our magazine, but one of the criteria was to stop calling some people a ripoff. Needless to say, we are still a small publication, and as you can tell from this issue, still tell it like it is.

New Paper Mill Gimmick

Latest gimmicks by the paper mills are 100 page applications. Evidently, trying to impress the applicants that are paying big money for applications that they are getting a 'superb' application. Compared to others, they are now filing page after page of computer generated copy.

Every new application filed now will likely not be processed until spring when the FCC computer goes on line. There are 3,500 tier one ahead at a maximum of 50 a month by hand, in the meantime.

Therefore, including all of the computer generated engineering mumbo jumbo is of no consequence, since the Commission is going to do their own over again anyway. Evidently they are using the computer program the Commission has made available on interference studies. Once you have determined you have clearance for your proposed channel, all of the computer studies add nothing since they are going to do that again at the Commission anyway. My son, Eric, who is an engineering student at a midwestern university, has put the entire FCC released computer program on the university's computer. He had to request additional capacity beyond what a student is allowed and got permission to go past even the faculty limitation to get it all on. Including that in the application is merely a 'fluff' continuation of the paper mills' old trick of saying, 'in determining engineering clearances, applicant's consultant used . . . . . ', and then goes on for two pages to repeat word for word the Commission's own rules, which sounds very impressive. So the Commission got played back to them two pages of their own rules in every application they filed. The applicants were very impressed, however.

They are now including all of the superfluous computer generated mumbo jumbo in each application but still use the 'omni' antenna pattern almost exclusively. Directional antennas for maximum coverage and lowest cost require experience, skill, thought and work, and a computer cannot run that off.

Other old tricks recently uncovered was there going back into a town filed for a client and filing one for themselves using a wife's maiden name.

FCC Chairman Quello Makes Processing Promises

FCC Chairman, Quello, speaking at the NTA luncheon, reported that a cutoff list was due out by mid-November. Processing of 35 a month by hand in January-February, 50 in March and then going to 250 a month with the computer coming on line, increasing to 500 a month by June.

Other speakers expressed doubt that schedule would be met, indicating September 1983 may be more realistic for computer start up.

Estimates for start of lottery by 'experts' were September 1983, but others 'experts' also doubted that, saying September 1984 was more realistic for start up of a lottery.

Redo -- We Goofed on the Last

Mileage Separation Chart --

Corrected Here -- on UHF Plus 14-15 Instead of Minus

-- Full Service Stations to LPTV Site

Many of us would like to sit down with a pencil and just figure out what channels may be available when we want to file an application in a certain area. However, about half way through, we get confused going back and forth between reading the rules and researching what channels are available and finally throw up our hands and say to hell with it.

In 1971, Television Technology of Arvada, Colorado, made up a little UHF chart that was useful for figuring what channels were available for translators at that time. That seemed to be a handy chart, so recently, we just updated it, included VHF, and made one to fit the new low power rules.

To use the VHF chart, pick a channel you want to check in the left hand column. Going across horizontally, the chart lists what other channels you need to check for and the mileage separations required.

In the VHF chart, the slant lines indicate you do not have anything to check there. (Remember, this happens because there is a space between Channels 4 and 5, 6 and 7, and 13 and 14.) For example, you decide you want to check if Channel 4 is available. You will need to check a circle 150 miles radius (if you plan to offset, or 210 miles otherwise) If there are no Channel 4 stations in that circle, next proceeding across the chart horizontally, we find we need to check a circle 90 miles in radius to see if there are any Channel 3 stations within that distance. None? Fine. You are almost home free. Next, you will need to check to see if there are any translators or LPTV stations on either of those Channels 4 or 3 nearby. That translator and LPTV mileage spacing separation required is not on this chart. We may do a chart on that in a future issue of the magazine.

On UHF, you will note you have many more channels to consider. However, in many areas, there are practically no UHF stations, so it may not be much of a checking problem in rural areas.

To determine where full service stations are, you may refer to the 'TV Factbook', if your public library or nearby broadcast station has one. TV Factbooks are about one year outdated shortly after they are delivered because of lead time. Most accurate way to check is the monthly full service station FCC data base available on one time order or automatically every month for $10 from Lo-Power Community TV Publishing.

150 MILES SAME CHAN.	90 MILES Lower Adj.	90 MILES Upper Adj.
2		3
3	2	4
4	3	
5		6
6	5	
7		8
8	7	9
9	8	10
10	9	11
11	10	12
12	11	13
13	12	

Mileage Separation	20 MILES ABOVE 2ND	3RD	4TH	5TH	BELOW 2ND	3RD	4TH	5TH	75 MILES Lower Adj.	Upper Adj	60 MI BELOW 7TH	70 MI ABOVE 14TH	75 MI ABOVE 15TH	150 MI WITH OFFSET SAME CHAN.
14	16	17	18	19						15		28	29	14
15	17	18	19	20					14	16		29	30	15
16	18	19	20	21	14				15	17		30	31	16
17	19	20	21	22	15	14			16	18		31	32	17
18	20	21	22	23	16	15	14		17	19		32	33	18
19	21	22	23	24	17	16	15	14	18	20		33	34	19
20	22	23	24	25	18	17	16	15	19	21		34	35	20
21	23	24	25	26	19	18	17	16	20	22	14	35	36	21
22	24	25	26	27	20	19	18	17	21	23	15	36	37	22
23	25	26	27	28	21	20	19	18	22	24	16	37	38	23
24	26	27	28	29	22	21	20	19	23	25	17	38	39	24
25	27	28	29	30	23	22	21	20	24	26	18	39	40	25
26	28	29	30	31	24	23	22	21	25	27	19	40	41	26
27	29	30	31	32	25	24	23	22	26	28	20	41	42	27
28	30	31	32	33	26	25	24	23	27	29	21	42	43	28
29	31	32	33	34	27	26	25	24	28	30	22	43	44	29
30	32	33	34	35	28	27	26	25	29	31	23	44	45	30
31	33	34	35	36	29	28	27	26	30	32	24	45	46	31
32	34	35	36	37	30	29	28	27	31	33	25	46	47	32
33	35	36	37	38	31	30	29	28	32	34	26	47	48	33
34	36	37	38	39	32	31	30	29	33	35	27	48	49	34
35	37	38	39	40	33	32	31	30	34	36	28	49	50	35
36	38	39	40	41	34	33	32	31	35	37	29	50	51	36

Mileage Separation	20 MILES								75 MILES		60 mi	70 mi	75 mi	150
	ABOVE				BELOW				Lower Adj.	Upper Adj.	BELOW	ABOVE		MILES OFFSET
	2ND	3RD	4TH	5TH	2ND	3RD	4TH	5TH			7th	14th	15th	SAME CHAN.
37	39	40	41	42	35	34	33	32	36	38	30	51	52	37
38	40	41	42	43	36	35	34	33	37	39	31	52	53	38
39	41	42	43	44	37	36	35	34	38	40	32	53	54	39
40	42	43	44	45	38	37	36	35	39	41	33	54	55	40
41	43	44	45	46	39	38	37	36	40	42	34	55	56	41
42	44	45	46	47	40	39	38	37	41	43	35	56	57	42
43	45	46	47	48	41	40	39	38	42	44	36	57	58	43
44	46	47	48	49	42	41	40	39	43	45	37	58	59	44
45	47	48	49	50	43	42	41	40	44	46	38	59	60	45
46	48	49	50	51	44	43	42	41	45	47	39	60	61	46
47	49	50	51	52	45	44	43	42	46	48	40	61	62	47
48	50	51	52	53	46	45	44	43	47	49	41	62	63	48
49	51	52	53	54	47	46	45	44	48	50	42	63	64	49
50	52	53	54	55	48	47	46	45	49	51	43	64	65	50
51	53	54	55	56	49	48	47	46	50	52	44	65	66	51
52	54	55	56	57	50	49	48	47	51	53	45	66	67	52
53	55	56	57	58	51	50	49	48	52	54	46	67	68	53
54	56	57	58	59	52	51	50	49	53	55	47	68	69	54
55	57	58	59	60	53	52	51	50	54	56	48	69	70	55
56	58	59	60	61	54	53	52	51	55	57	49	70	71	56
57	59	60	61	62	55	54	53	52	56	58	50	71	72	57
58	60	61	62	63	56	55	54	53	57	59	51	72	73	58
59	61	62	63	64	57	56	55	54	58	60	52	73	74	59
60	62	63	64	65	58	57	56	55	59	61	53	74	75	60
61	63	64	65	66	59	58	57	56	60	62	54	75	76	61
62	64	65	66	67	60	59	58	57	61	63	55	76	77	62
63	65	66	67	68	61	60	59	58	62	64	56	77	78	63
64	66	67	68	69	62	61	60	59	63	65	57	78	79	64
65	67	68	69	70	63	62	61	60	64	66	58	79	80	65
66	68	69	70	71	64	63	62	61	65	67	59	80	81	66
67	69	70	71	72	65	64	63	62	66	68	60	81	82	67
68	70	71	72	73	66	65	64	63	67	69	61	82	83	68
69	71	72	73	74	67	66	65	64	68	70	62	83	84	69

Translator and LPTV updated monthly on microfiche, also available for $10. They may be ordered two ways: one filed by state, city and channel; and the second way by state, channel and city.

Those that do not order both, ususally order the state, city, channel version. If you do not have a microfiche reader, you can usually use one at the local library, or maybe even your bank.

MILEAGE SEPARATIONS

Mileage separations on same channel are shown with offset. Without offset, separation required would be 210 miles, both on VHF and UHF.

Full service broadcast stations on same horizontal line must be at least the distance indicated from the proposed LPTV site. If less than this spacing, then an alternative channel should be chosen. In many cases, shorter spacing is possible, but must be demonstrated with an engineering showing. It is usually less expensive to find a different channel. VHF channels are enough less expensive than UHF, to make the extra effort and engineering cost worthwhile, when a VHF may be 'squeezed in' by the engineering showing.

REGARDING OFFSET

When your proposed station is less than 210 miles but more than 150 miles from the nearest 'co-channel' (same channel) full service station, you need to be 'offset' from the full service station. There are four offset related positions in low power. One is no offset, which means the transmitter has a relatively wide range it can move around or drift in. The next offset position is zero offset, which means you are going to maintain a very 'precise' frequency in the middle. If you go plus (10 kc) or minus (10 kc), you also are saying you are going to maintain very exact tolerances. This will add at least $300 to $1,000 to the cost of your transmitter and require more testing and maintenance than no offset.

When filing with offset, you must file a statement on how you propose to maintain the required precise tolerances. We use, 'the specified transmitter manufacturer has agreed to supply equipment that will maintain the frequency tolerances required by the Commission', which, of course, our transmitter manufacturer has agreed to do (at additional cost).

New LPTV Problem

CANCER OF THE PROCESS

The industry has a serious cancer developing that can, in my opinion, literally destroy it. The lottery, the way it is set up, will only speed this cancerous growth to unbelievable proportions.

First, what is happening now is only the tip of the iceberg of what is to come unless the Commission or someone does something to stop it.

Before the recent freeze, the paper mills were taking in hundreds of thousands of dollars on 'production' stamped out simple omni, file anything application and collect $4,000.

Many of these people taken in by the paper mill huckster, 'we invented LPTV' pitch, have since wised up and are now aware they have been ripped off with some of the poorest applications filed, many of which are totally unuseable and worthless. The word has gotten out, (our publication of the great LPTV ripoff) and along with tier one only processing has slowed paper mill application income to a small percentage of the boom they had going. Now they are offering more 'we walk on water' LPTV applications by how they get around the Commission rules and for the clients that pay them $4,000 (etc.), they will perform a 'miracle' for these people that want to file in tier three.

At the NTA Convention, I met a little Oriental fellow from the San Francisco area who paid up his paper mill application fee because he believed he was getting an advantage and filed now in San Francisco by using the file it and ask for a waiver of the freeze rules. That way the Commission doesn't send it back, and it is filed. Unbeknown to the applicant, it isn't going anywhere at the Commission, it may as well be in his drawer at home, and he has gained no advantage over anyone else who will be able to file 3 or 4 years from now when tier three opens up. Meanwhile, the paper mill has his $4,000, and the applicant won't even find out he has a probably poor or even inadequate engineering application filed until 3 to 5 years from now.

The second scam they are selling is to file in tier one and amend every 30 days, moving it in 15 miles toward the center of a tier three city each month. That way, they get the tier three $4,000 application fee now again, and the applicant is convinced he has a big miracle being wrought for him when nobody else could get him into tier 3 now.

Since the regular paper mill new list of suckers application business has fallen off, we now find them offering investing in 'competing' applications at reduced (discount on $4,000) rate. The idea is, instead of investing in oil leases, you invest in LPTV license applications. The people serious about low power will either pay you off or buy your license if you 'win' one. So they are not now selling getting low power but into investing in applications like collecting trading cards. For a small fee, they will 'run off' (copy) competing applications for you. You will note some bulk filings in this issue, we run applications filed each issue. We suggest you look into the 'bulk' filings in recent issues and see where they are coming from, never mind the cover name, check and see who is really behind the filings.

The trading card concept is, for my 'competing' application, I win either, 1. a payoff of several thousand dollars to withdraw, and/or 2. a percentage interest in the resulting station, with no cash invested, as a payoff to withdraw, 3. sit tight if not offered enough and delay the licensing, putting more pressure on them to 'settle' with you. If all else fails, take your chances in the lottery. If you win and you have good odds, simply 'lease them' the channel with a buy out and pay you off at the end. So that's what you get by 'investing' with them in LPTV applications.

We are getting a new thing now--essentially strike applications. They pay for no channel search, they do not pay for or do any engineering. They merely copy the channel selection, the community to be served--all the data. They do not bother getting permission from the land or tower owner but merely file the same thing you filed at great expense and care. An example is an application we filed for ourselves in a small midwestern town. We filed it inadvertently on Channel 3 because our computer 'dropped' some data on one disc on translators and didn't show there was a translator on Channel 3 one mile away. When we discovered that disc had dropped out, we ran it with the copy disc and discovered the translator. We, therefore, amended the application to another channel. The copy people filed the duplicate 'competing' application on Channel 3. Self defense here may be to file an unuseable channel and then 'amend' to the legitimate channel you want. Of course, then they will 'amend' to the same when you show up on another channel on cutoff.

We have another example of the recent flurry of duplication applications which, incidently, nearly always use an omni. They filed on top of our application. Ours listed two cities, each 35 miles away to be served from an 8,000 foot peak. We specified highly directional very high gain antennas to reach those two communities. They filed specifying the same combination of two widely separated cities as the principal community to be served. They, however, as usual, specified omni antennas which will not get far enough off the mountain to cover one single home and will fall 20 miles short of the communities listed as the principal communities to be served.

They have filed on top of an application I filed in a 'home town' area of 890 people.

We have evidence from these types of filings that:

1. they are not interested in serving the communities. Ample evidence shows they do not care about covering the area applied for, only filing

2. they do no checking or engineering of any kind.

3 they do not get nor seek permission to use the site

4. they are filing on top of everything filed.

5. the parties filing these applications for them are selling 'strike' applications and should be disciplined by the Commission, as well as the applicants.

6. if these examples cannot be 'proven' as strike applications, then 'none' can and the Commission can just as well expect hundreds of these 'worthless' applications for every channel, which are only going to obstruct the sincere people who actually want to bring more and better TV to people.

7. if this is not corrected, we will be forced to advise our readers and suggest readers not spend large amounts of money or time engineering and filing new applications. Let someone else file the original. Copy the data and file for $50 or less. Take that application, substitute your mother's name, file it again. Get your uncle, your best friend, etc., etc. You can probably file a couple dozen copies all with the same engineering, etc. Just different names. Offer to 'lease' the channel if they get licensed and buy it at the end of the lease. Since the 'friends' have nothing invested, you could get enough to file, say 50 applications for the same channel in the same city. If everybody does this (and that's what will happen), the Commission is going to have to have a thousand gallon barrel to put all the ping pong balls in for each lottery. **Impossible.**

Something needs to be done about what has been allowed to happen here. Only by joining together and using some collective clout is anything going to be done. If this is allowed to continue, the LPTV industry is going to self destruct with a cancer that has not been arrested while it was still controllable.

Please see what you can do along with us to help. The big tragedy here is that the present lottery rules are set so that any of these strike applications delay your station waiting for a lottery. If they are granted the license in the lottery instead of you, only then can you effectively file a petition to deny. In the meantime, you get disgusted and pay them off so you can get an LPTV station on before you are too old. By paying them off to expedite your getting on, you encourage more of the same.

The paper mill people continue to make bundles, and the sincere LPTV people get totally disgusted with the entire system and drop out.

Low Power Full Power

The FCC is in the process of relaxing rules for full power so that no logging will probably be required in the near future and much of the red tape of getting on the air will be eliminated according to internal Commission rumblings.

Fairly recently, the Commission approved the use of IF diplexed transmitters which are much lower in cost. The full power station in Rock Springs, Wyoming, for example, is only 250 watts. The town is surrounded by mountains and there is no place to go with higher power anyway.

Full power is about 40% more expensive, but . . . you can find used equipment. We know, for example (ICTV members, write or call), where you can obtain two 1,000 watt UHF full service (channel adjustable) transmitters for only $1,500 each. They are also reported adaptable to LPTV with slight modification.

Advantages of going full power:

1. Nobody can bump you later; you are a primary service and can demand interference protection.

2. All cable systems have to put you on in your coverage area.

3. You can up your power any time you can afford it (with permission, which will be automatic).

4. Networking is easier.

Disadvantages:

1. You have a requirement to do some local programming. A waiver can be requested, however. Many full service western full power stations are just large translators and originate nothing.

2. You must have expensive monitoring test equipment (available used) and licensed engineer)available part time).

3. No 1/2 inch tape without a TBC.

4. More expensive engineering in application.

5. Large $ legal hassle if someone files on top of you and you pursue it to the end.

You may want to consider filing for low power full power. The advantages may far outweigh the disadvantages. You could go back and file full power on LPTV applications in an area that has an allocated channel in the area, and all of the LPTV's on that channel would be out. If there is no allocated channel, you can request one be set aside there (with the proper engineering). Remember, however, the application parasites may jump out of the woodwork and file on top of you there, too.

Applications Filed Since the October Issue

ALASKA

Rowan Bay
9 10w State of Alaska 2/3/82

ALABAMA

Evergreen
14 100w Free State Brdcstng. 7/28/82

ARKANSAS

Ash Flat
12 10w Owen Broadcasting 10/21/82

Searcy
47 1000w Owen Brdcstng. 10/25/82
50 1000w " " 10/21/82

ARIZONA

Florence/Globe
7 10w Owen Broadcasting 10/6/82

Prescott/Chino Valley
59 1000w Owen Broadcasting 10/6/82

Superior/Florence
35 1000w Owen Broadcasting 10/6/82

Florence/Superior
25 1000w Owen Broadcasting 10/6/82

Young
7 10w Owen Broadcasting 10/21/82

CALIFORNIA

Arroyo Grande
31 1000w Owen Broadcasting 10/6/82

Fall River Mills
15 100w Charles L. Parrott 10/21/82
17 100w " " 10/21/82
25 100w " " 10/21/82

Gustine
17 1000w Radio Televisao Portuguesa of CA 10/21/82

Healdsburg
16 1000w Radio Televisao Portuguesa of CA 10/21/82

Laytonville
6 10w Owen Broadcasting 10/25/82

Merced/Modesto
38 1000w American TV Affil. 10/21/82

COLORADO

Breckenridge
33 1000w Owen Broadcasting 10/21/82

Rangely
30 1000w Owen Broadcasting 10/21/82

Trinidad
12 10w Southwest Comm. TV 10/21/82

FLORIDA

Homosassa Springs
14 1000w Owen Broadcasting 10/6/82
27 1000w " " 10/6/82

Inverness
34 1000w Owen Broadcasting 10/6/82

Marathon
5 10w Owen Broadcasting 10/25/82

Vero Beach
50 1000w Owen Broadcasting 10/6/82

GEORGIA

Brunswick
13 10w Judith G. Taylor 10/6/82
27 1000w Concord-Kannapolis Brdcstng. Co. 10/21/82
42 1000w " " 10/21/82

Rome
28 1000w Blacks Desiring Media 10/6/82
65 1000w Marketgraphics 9/1/82

Waycross
29 1000w Owen Broadcasting 10/6/82

GUAM

Tamuning
14 100w Guahan Airwaves Co. 10/21/82

HAWAII

Honolulu
57 1000w Pepsi-Cola Bottling Co. of Alton, Inc. 10/6/82

IOWA

Burlington
26 1000w Harris Enterprises 10/25/82

Humboldt
30 1000w Christensen Brdcst. 10/21/82

Sheldon
57 1000w Owen Broadcasting 10/21/82

IDAHO

Challis
4 10w Owen Broadcasting 10/6/82

Clayton
4 10w Owen Broadcasting 10/21/82

Preston
24 1000w Owen Broadcasting 10/6/82

Sandpoint
16 1000w Owen Broadcasting 10/21/82

ILLINOIS

Salem
28 1000w Salem Broadcasting 10/21/82

KANSAS

Emporia
31 1000w Owen Broadcasting 10/21/82

Garden City
3 10w Harris Enterprises 10/25/82

Hays
31 1000w Harris Enterprises 10/25/82

Salina
5 10w Owen Broadcasting 10/6/82
6 10w " " 10/21/82

KENTUCKY

Hopkinsville
7 10w Hopkinsville Communic. 10/21/82
15 1000w " " 10/21/82
17 1000w " " 10/21/82
26 1000w " " 10/21/82
60 1000w " " 10/21/82

Russel Springs
42 1000w Communication Ideas 10/21/82

LOUISIANA

Ferriday
42 1000w Free State Brdcst. 10/6/82

Leesville/DeRidder
16 1000w Owen Broadcasting 10/6/82

Morgan City
51 1000w Free State Brdcst. 10/6/82

MASSACHUSETTS

Harwich
23 1000w Owen Broadcasting 10/6/82

Hyannis
20 1000w Barbara A. Nadley 10/21/82
25 1000w " " 10/21/82
30 1000w " " 10/21/82
33 1000w Owen Broadcasting 10/21/82

MARYLAND

Clear Spring
47 1000w Owen Broadcasting 10/6/82

MAINE

Caribou
19 1000w Owen Broadcasting 10/6/82

MICHIGAN

Hancock
22 1000w Owen Broadcasting 10/6/82

MINNESOTA

Baudette
6 10w Owen Broadcasting 10/21/82

Grand Rapids
30 1000w Owen Broadcasting 10/21/82

Grygla
55 1000w Owen Broadcasting 10/21/82

Marshall
39 1000w Owen Broadcasting 10/21/82

Norris Camp
65 1000w Owen Broadcasting 10/21/82

Park Rapids
5 10w Owen Broadcasting 10/21/82

Red Lake
65 1000w Owen Broadcasting 10/6/82

Roseau
5 10w Owen Broadcasting 10/6/82

Saint Cloud
13 10w Owen Broadcasting 10/21/82

Warroad
3 10w Owen Broadcasting 10/21/82

MISSISSIPPI

Clarksdale
23 1000w Delta Press Pub. 10/6/82

Ethel/Kosciusko
12 10w The Star-Herald Inc. 11/1/82

Natchez
23 1kw Local Power TV 11/1/82
26 1kw " " 11/1/82
28 1kw " " 11/1/82
34 1kw " " 11/1/82
36 1kw " " 11/1/82
58 1kw " " 11/1/82
64 1kw " " 11/1/82
66 1kw " " 11/1/82

MISSOURI

Carrollton
29 1000w Owen Broadcasting 10/6/82

MONTANA

Judith Gap
11 10w Owen Broadcasting 10/6/82

Kalispell
18 1000w Owen Broadcasting 10/6/82

Livingston
31 1000w Owen Broadcasting 10/6/82

West Glacier
5 10w Owen Broadcasting 10/21/82

NEBRASKA

McCook
11 10w KZMC, Inc. 10/21/82

NEVADA

Mesquite
12 10w Owen Broadcasting 10/21/82

Upper Quinn River
8 10w Owen Broadcasting 10/21/82

NEW HAMPSHIRE

Concord
47 1000w Amos Communicat. 10/21/82
57 1000w " " 10/25/82

Dover
15 1000w Robert H. Foster 10/21/82
34 1000w " " 10/21/82
38 1000w " " 10/21/82
42 1000w " " 10/21/82
47 1000w " " 10/21/82

Rochester
32 1000w Robert H. Foster 10/21/82
45 1000w " " 10/21/82
48 1000w " " 10/21/82
53 1000w " " 10/21/82
56 1000w " " 10/21/82

NEW JERSEY

Atlantic City
36 1000w Gloria Becker 10/21/82

NEW MEXICO

Alamogordo
5 10w Owen Broadcasting 10/21/82

Carlsbad
31 1000w Local Power TV 11/1/82
41 1000w " " 11/1/82
44 1000w " " 11/1/82
50 1000w " " 11/1/82
61 1000w " " 11/1/82

Hobbs
17 1000w Low Power TV 11/1/82
21 1000w " " 11/1/82
23 1000w " " 11/1/82
39 1000w Local Power TV 11/1/82
52 1000w " " 11/1/82
68 1000w " " 11/1/82

Silver City
25 1000w Owen Broadcasting 10/21/82

Taos
3 10w Owen Broadcasting 10/21/82

NEW YORK

Olean
42 1000w Owen Broadcasting 10/21/82

NORTH CAROLINA

Lenoir
41 1000w R.L. Bush, Jr. 10/6/82
62 1000w " " 10/6/82

NORTH DAKOTA

Bowesmont
58 1000w Owen Broadcasting 10/21/82

Fairmount
8 10w Steven C. Nelson 10/25/82

OHIO

Ashland
59 1000w Owen Broadcasting 10/6/82

Bucyrus
22 1000w Owen Broadcasting 10/21/82

Mansfield
12 10w Amos Communications 10/21/82
41 100w " " 10/21/82
68 1000w " " 10/21/82

OKLAHOMA

Cheyenne
10 10w Joseph W. Tilton
Ronda L. Shelton 10/6/82

Cordell
10 10w Joseph W. Tilton
Ronda L. Shelton 10/6/82

Enid
55 1000w Joseph W. Tilton
Ronda L. Shelton 10/21/82

Sazre
2 100w Joseph W. Tilton
Ronda L. Shelton 10/6/82

Weatherford
2 10w Dennis & Carolyn
Thompson 10/21/82

OREGON

The Dalles
26 1000w Owen Broadcasting 10/21/82

Prineville
39 1000w Owen Broadcasting 10/21/82

PUERTO RICO

Aguadilla
10 10w Owen Broadcasting 10/6/82

Arecibo
27 1000w Owen Broadcasting 10/21/82
60 1000w " " 10/21/82

Bayamon
56 1000w Owen Broadcasting 10/21/82
62 1000w " " 10/21/82

Cagaus
5 10w Owen Broadcasting 10/21/82
49 1000w " " 10/21/82

Carolina
9 10w Owen Broadcasting 10/21/82

Ensenada/Guanica
26 1000w Owen Broadcasting 10/21/82

Fajardo
5 10w Owen Broadcasting 10/21/82
34 1000w " " 10/21/82

Guayama
46 100w Eastern Satellite
Services 10/25/82

Guaynabo
46 100w Municipio de
Guaynabo 10/6/82

Hato Rey
8 10w Owen Broadcasting 10/21/82

Humacao
3 -- Eastern Satellite
Services 10/21/82
68 1000w Owen Broadcasting 10/21/82

Jayuya
20 1000w Owen Broadcasting 10/21/82

Luquillo
34 1000w Owen Broadcasting 10/21/82

Mayaguez
8 10w Owen Broadcasting 10/25/82
8 10w Telecinco, Inc. 8/30/82
66 1000w Owen Broadcasting 10/21/82

Morovis
14 100w Central Public Bcg. 9/1/82
14 1000w Owen Broadcasting 10/25/82

Ponce
13 10w Owen Broadcasting 10/21/82
53 1000w " " 10/21/82
59 1000w " " 10/21/82
59 100w Aracelis Ortiz 7/26/82

Sabana Grande
62 1000w Owen Broadcasting 10/21/82

San German
50 1000w Owen Broadcasting 10/21/82

San Juan
27 1kw Missionary Brdcstrs. 8/26/82

Utuado
46 1000w Owen Broadcasting 10/21/82

Yabucoa
5 10w Owen Broadcasting 10/21/82

Yauco
66 1000w Owen Broadcasting 10/21/82

SOUTH DAKOTA

Lemmon
42 1000w Owen Broadcasting 10/21/82
60 1000w " " 10/25/82

TENNESSEE

Cookeville
44 1000w Owen Broadcasting 10/21/82

TEXAS

Baxter/Athens
3 10w Community Info. Ctr. 10/6/82

Eagle Pass
3 10w Owen Broadcasting 10/6/82
5 10w " " 10/21/82
7 10w " " 10/21/82
11 10w " " 10/21/82
13 10w " " 10/6/82
52 1000w " " 10/21/82

Eastland
17 1000w Micromedia 10/6/82

Fairfield
41 1000w Owen Broadcasting 10/21/82

Falfurrias
2 10w Owen Broadcasting 10/25/82
7 10w " " 10/25/82

Fredericksburg
55 1000w Owen Broadcasting 10/21/82

Huntsville
23 1000w Owen Broadcasting 10/21/82

Ingram
19 1000w Jack Clarke, III 10/21/82
21 1000w " " 10/21/82

Jasper
53 1000w Owen Broadcasting 10/21/82

Kerrville
5 10w Owen Broadcasting 10/21/82
7 10w " " 10/21/82
9 10w " " 10/21/82
11 10w " " 10/21/82
13 10w " " 10/21/82

Lufkin
16 1000w Owen Broadcasting 10/21/82
28 1000w " " 10/21/82
38 1000w " " 10/21/82

Paris
25 1000w Owen Broadcasting 10/21/82
36 1000w " " 10/21/82

Victoria
5 10w Owen Broadcasting 10/21/82

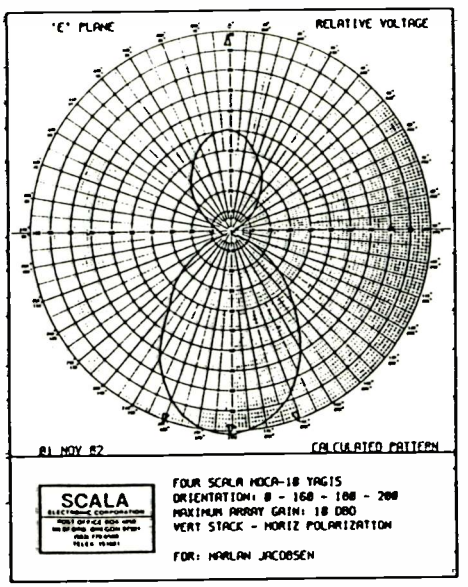
Scala Plots

Scala (antenna supplier) demonstrated their new computer plotter at the NTA Convention.

Recent FCC public notice requires filing a composite antenna pattern when using multiple antennas (still not necessary with an omni). This takes some engineering time to do by hand.

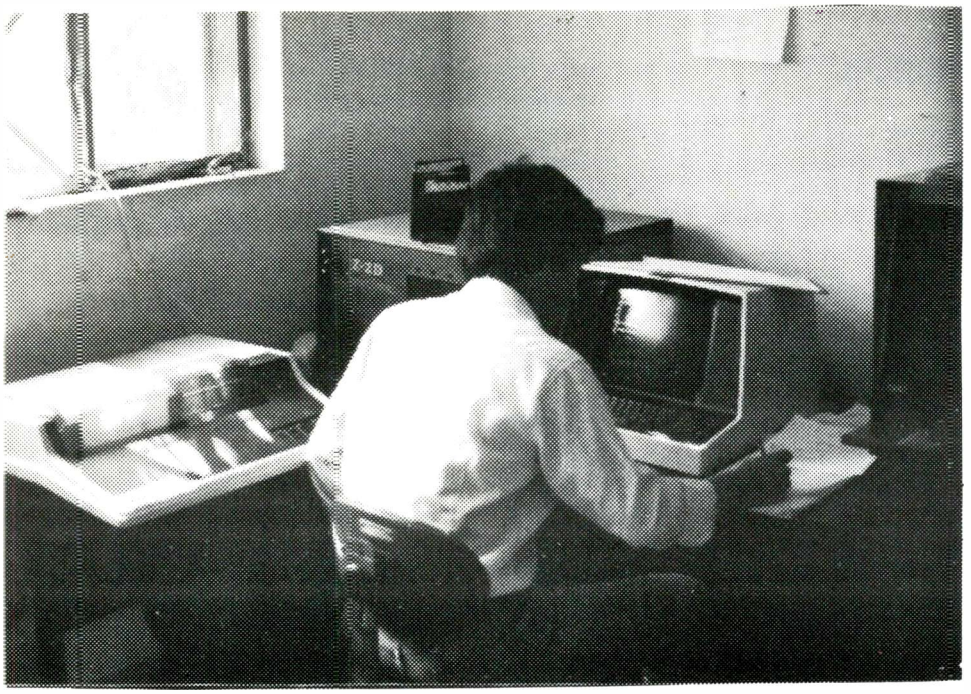
Applicants specifying Scala antennas can phone or mail a request to Scala for a computer generated composite pattern. Ellis says he's not going to act as your consulting engineer, but if you'll give them the model of the antenna and orientation points and explanation of what you are trying to do, they will have their computer draw up the graphs and the printout of levels on all azimuths. You must have equal power to all antennas for the computer to work. If you have different levels of power splits, you will have to have them done by hand.

Contact Scala Electronics Corporation, Box 4580, Medford, Oregon, 97501, (503) 779-6500.



FOUR MOCA-10 YAGIS
0 - 160 - 180 - 200

AZIMUTH	RELATIVE VOLTAGE	RELATIVE DB	DBD
0	0.526	-5.6	4.4
10	0.491	-6.2	3.8
20	0.415	-7.6	2.4
30	0.341	-9.4	0.6
40	0.237	-12.5	-2.5
50	0.148	-16.6	-6.6
60	0.014	-37.0	-27.0
70	0.014	-37.0	-27.0
80	0.014	-37.0	-27.0
90	0.014	-37.0	-27.0
100	0.028	-31.0	-21.0
110	0.106	-19.5	-9.5
120	0.217	-13.3	-3.3
130	0.366	-8.7	1.3
140	0.519	-5.7	4.3
150	0.710	-3.0	7.0
160	0.865	-1.3	8.7
170	0.958	-0.4	9.6
180	1.000	0.0	10.0
190	0.968	-0.3	9.7
200	0.875	-1.2	8.8
210	0.708	-3.0	7.0
220	0.472	-6.5	3.5
230	0.344	-9.3	0.7
240	0.184	-14.7	-4.7
250	0.113	-18.9	-8.9
260	0.014	-37.0	-27.0
270	0.014	-37.0	-27.0
280	0.039	-28.2	-18.2
290	0.046	-26.8	-16.8
300	0.092	-20.8	-10.8
310	0.180	-14.9	-4.9
320	0.291	-10.7	-0.7
330	0.369	-8.7	1.3
340	0.450	-6.9	3.1
350	0.504	-6.0	4.0



ICTV engineering personnel shown left doing a computer channel search for an alliance member. 212 market to your tower site, distances to test tier one eligibility are also done on the same computer. VHF or UHF searches are $25 for members; market distance calculations are $5. Next month, subscriber lists and notification will also be done on the computer, even though the magazine subscriber base is not yet computer size. Other LPTV publications are advertising 5,000 circulation--odd when there are less than 1,400 people in the LPTV field that have filed applications.

RE: How to File; Scottsdale, Arizona. Anyone interested in attending or sending someone from their office to learn to do applications, please contact the office right away. We need two more people to go ahead with it. Remember, you will be able to complete an application while you are at the course and file it Monday. Call (602) 945-6746.

LPTV CRASH COURSE SCHEDULE

How to File -- Scottsdale, Arizona, November 20-21
Comprehensive -- Washington, D.C., January 29-30
LPTV Local Production -- Phoenix, Arizona, February 19-20
Comprehensive -- Las Vegas, Nevada, April 9-10
Comprehensive -- Houston, Texas, June 11-12
LPTV Local Production -- Denver, Colorado, July 16-17

ACCESS TO FILED APPLICATIONS

Photo left shows the public access room at the FCC. You often need to know what direction a nearby translator or low power station has their radiation pattern oriented to check interference possibilities. You need to know if a competitor has filed a defective application, etc., or who it is in case you want to negotiate them off your channel, etc., etc. For whatever reason, you can, when you are in Washington, look these competing applications up personally in the public access room at the Commission. The room has two Xerox machines at 10¢ a copy and you often have to wait in line to use them. You also have to wait for your number to come up for FCC personnel to take your order to find copies of up to three applications. If you are not going to Washington, we have a Washington service that will obtain and copy an entire application for you for $20. Contact the Scottsdale office to order; give channel number, applicant name, date filed and the application number, if you have it.

Bemidji Update

John Boler and his active manager (who happens to be his daughter) brought the attendees up to date on what was happening in Bemidji with Channel 26, the first station now on one year. Mr. Boler stated that he thought now that STV was the way to go and that if had done that, the first thing he would have done was to get rid of 12 of the 18 full time employees. Questioned about his statement at a previous convention that his sales manager had said that if he could sell ads in prime time, he could sell a million dollars a year on the station. Boler indicated now that the merchants were possibly using the non-availability of prime time as an excuse for not signing up for TV advertising.

He reported they had filed for two more channels in the market and had recently been granted a CP in Grand Rapids, Minnesota, which was a larger market and they were in the process of getting on the air and tying the two stations together with a 2-way microwave link. Other cities have been filed for, he stated, and are going to be tied together in a small regional network. The stations were going to be strong on regional and local news as well as national. Mr. Boler said he foresaw getting 1,500 STV subscribers in Bemidji. He expressed original hesitation on including the after 11 'R' rated material at approximately $5 per month additional but found that in 90% range opted for the 'R' rated nightowl service supplied by his STV supplier, Select TV. He complained that some of the 'R' rated movies were being recycled back up into early 7 p.m. showings, etc. His one year contract with Select TV was about to expire, and he indicated he was considering other suppliers that were becoming available. Local management indicated they had excerpt rights from ESPN, WCCO regional news, and others.

Other shows carried were Donahue on videotape and that many good shows such as Simmons and many other popular shows were obtained on Barter (which means free because of the built in commercials). Popular syndicated shows purchases included 'Gunsmoke'.

More on Lottery and Selling Part or Full Interest

The lottery is set up so that with no present broadcast or other media, you will have a preference over someone who has several broadcast licenses. Regardless of the size of the city you receive a license for, it counts against you in the next lottery.

The way the lottery is set up now, even if a competing application is totally defective, we understand you cannot file a petition to deny and have it considered until after the lottery has been completed and it is determined who won. You can then have a petition to deny considered against the winner. So even a totally defective application can get you delayed for a long period of time and cause you to pay them off.

Attornies answering questions at the NTA said you could sell part of your station when you had a CP but not more than 51%, and the CP holder must remain responsible for debts. Of course, once it is on the air and licensed, you can immediately sell it, unless you obtained the grant through some preference.

Selling 10% is an automatic approval if licensed. Selling 50% or more must have full FCC approval, they said. Best suggestion that they seemed to agree would work was a lease purchase, the people leasing the license built it and leased the channel from you with a right to purchase at the end of the lease period.

Las Vegas Crash Course Luncheon, left. Ike Blonder, speaking to the group on Sunday, right.

HOW TO FILE LPTV APPLICATIONS
Two Day Crash Course

Learn how to file applications for yourself or other people.

Three instructors will share with you a wide range of long term experience in this broadcasting field and how to get your station concept licensed and on the air. How to get help at low cost when you hit a bottleneck. Do you need a little political 'grease' to get your license through? Nobody will be able to 'snow you' about LPTV after this course. You will be your locality's 'expert'. Your satisfaction guaranteed or your money will be cheerfully refunded (no other firm connected with low power makes that type of offer).

$175
ICTV Members, $125

Learn how to file low power applications. Two days of intensive training, including filing an actual application for yourself at no cost. Make 3 copies and file it with the FCC on Monday after you get home from the course. Information you need to make decisions that are right for your low power station; decisions that no one can make as well as you. Engineering explained and simplified with slides, motion pictures and videotapes. Not just how to file any old thing like some 'experts' do, but file one that will work for you for best results and least investment.

Local information data sheet you'll need to complete and bring with you and the $25 'How to File' manual are mailed promptly upon receipt of your advance reservation.

November 20 - 21, 1982
Scottsdale, Arizona

FOR FURTHER INFORMATION OR PHONE REGISTRATION, CONTACT (602) 945-6746.

Note: Please use separate sheet for additional registrants.

- ☐ I/we wish to register for the crash course. $175 (ICTV Members, $125) is enclosed for each registration. Make checks payable to **Lo-Power Community Television.**
- ☐ Please add a one year subscription to **Lo-Power Community TV Magazine.** I enclose $50.
- ☐ Please send me listing and prices of videotapes of co vention and crash course proceedings.

Send to: **Lo-Power Community Television, 7432 East Diamond, Scottsdale, Arizona, 85257.**

Name/Organization _____

Address _____

City _____ State _____ Zip _____

Telephone _____

Community Television Business

Volume 4, No. 17 September 17, 1997

CBA Wooing Sponsors for Norwood Bill

by Jackie Biel

Community Broadcasters Association members are working hard to gather co-sponsors for Congressman Charlie Norwood's House bill which would grant primary status to LPTV stations meeting certain conditions.

"We'd like to get 40 to 50 co-sponsors at least," said CBA executive director Mike Sullivan last week. In June, the bill had already gathered 33 co-sponsors.

Norwood (R-GA) introduced the bill in May, but House Telecommunications Subcommittee chairman Billy Tauzin (R-LA) has not yet scheduled it for discussion. Norwood's communications secretary, John Stone, said that the pressures of current appropriations and health services legislation will probably mean that the LPTV bill will not be brought before the subcommittee until next year, after Congress's winter recess.

The bill, entitled *The Community Broadcasting Protection Act of 1997* (HR 1539), was the basis for language included in the recent budget reconciliation legislation directing the FCC to try to find new channels for LPTV stations displaced from channels 60–69 (see *CTB*, August 20, 1997). Those channels will be reclaimed by the government by the first of the year—some to be reallocated to public safety uses and some to be auctioned. Representative Nathan

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Countdown to November

CBA's 10th Annual Convention Celebrates a Decade of LPTV Efforts

by Jackie Biel

The Community Broadcasters Association will celebrate a decade of service to LPTV broadcasters with its 10th Annual Convention and Exposition at Las Vegas's version of Camelot—the Excalibur Hotel.

The convention kicks off Saturday, November 8 with cocktails and hors d'oeuvres at 5 PM in the exhibit hall, and seminars and exhibits fill the days on Sunday, Monday and Tuesday. The session agenda is still being worked out, said CBA executive director Mike Sullivan. But both the sessions and exhibits will focus on digital TV and the role that LPTV broadcasting will play in the digital age.

Other topics to be explored will include the recent effort toward primary status (see separate story, this page), the channels 60 to 69 crunch, the industry's continuing difficulties with leased access, and the timetable for implementing the LPTV power increases authorized in the FCC's *Sixth Report and Order* last April.

The highlight of the convention, as in past years, will be the CBA Banquet Tuesday evening. But this year, for the

continued on page 2 . . .

CBA Wooing Sponsors for Norwood Bill

. . . continued from page 1

Deal (R-GA) and Senator Wendell Ford (D-KY) sponsored that amendment.

HR 1539 directs the FCC to create a new "class A" category of LPTV stations which would have primary, not secondary, status. That means that the new class A stations could not be displaced, or "bumped," by other primary services such as full power TV stations seeking to broadcast on the same frequency as the LPTV station, or by licensees of the proliferating new technologies seeking spectrum.

According to the draft bill, only those LPTV stations meeting certain criteria would qualify for the new status. For 90 days before the bill becomes law, they will have had to have been on the air at least 18 hours daily and airing an average of at least three hours a week of local programming.

The new class A stations would be eligible to convert to DTV transmission when the FCC reclaims NTSC channels. And they would have abide by the same Part 73 rules that govern full power stations.

In addition, the FCC would have to do all it could to save any class A station threatened by displacement during the DTV transition, including revising its own allocation table or assigning the LPTV station a new channel or a new community of license before it considers any other applicants for the frequency.

Stone said that Norwood aides have been talking with FCC officials about how the transition to class A status can be implemented. Mass Media Bureau assistant chief for engineering Keith Larson told *CTB* that one of the big unknowns is the new commissioners who presumably will be seated before Congress adjourns for the holidays. He also noted that the Commission still has to reply to the more than 200 petitions for reconsideration of the digital TV *Orders* and issue a revised allocation table before it can take up the issue of primary status for LPTV stations.

Stone also said that the Congressional Research Service—which reports on pending legislation—has noted Norwood's bill. "That means the [text of the] bill is now circulating among government agencies," he said. "We want the FCC to take note of the sense of Congress regarding this bill. We won't be satisfied until we can confirm that there's not one qualified LPTV broadcaster in jeopardy."

Once Norwood's bill becomes law, the FCC will have 30 days to establish regulations for class A LPTV stations. Then it will have another 30 days to notify all LPTV licensees of the new rules. Licensees will have 90 days to apply for class A status, and the FCC must act on their applications within 30 days after they are received.

Countdown to November

. . . continued from page 1

first time, there will be no local programming awards competition. Said CBA director Eddie Owen, the CBA board decided to skip the awards this year because of poor participation by stations recently. "We had so few entries," said Owen, "that the same stations were winning most of the awards."

But the exhibits should be exciting, he added. In fact, booth space is almost sold out. Some 40 exhibitors so far committed include Scala Electronics, BEXT, Larcan TTC, SWR, Superior Broadcast Products, Shively, Cablewave, ITS, and TronTek, a new Oklahoma transmitter manufacturer.

So if you're an LPTV broadcaster, you'll want to be at this CBA convention. But think about getting your registration in soon. Discounted registration fees are available only through September. CBA members can get in for $299; nonmembers pay $450. Spouses and additional staff get in a bit cheaper: $135.

Prices go up in October by $100 for CBA members, nonmembers, and staff, and by $30 for spouses.

Rooms at the Excalibur are $59 per night for CBA attendees (except Saturday which is a bit over $100). To reserve a room, call (800) 937-7777, and mention that you are part of the CBA convention. Rooms tend to fill up quickly, so call early. You can reserve your room without a down payment until about four weeks before you arrive, at which time the hotel will require a one-night deposit.

The official CBA convention airline is Southwest Airlines which offers a 10% discount on tickets for convention-goers. For tickets, call (800) I-FLY-SWA ([800] 435-9792) and mention Convention Code R5107. However, to get the discount, you'll have to order tickets at least fourteen days in advance of your flight.

For registration information, CBA membership forms, or a convention brochure, contact Mike Sullivan at (320) 656-5942 or fax him at (320) 255-5276. Companies wishing to exhibit should contact either Sullivan or Ron Bruno in Pennsylvania at (412) 922-9576 or Greg Herman in Oregon at (503) 289-2456.

How to Get On the LPTV Loop

To subscribe to the LPTV industry's Internet forum, send the following message to majordomo@loop.com: **subscribe lptv [your e-mail address]**.

To address the group, send e-mail to **lptv@loop.com**. To send messages to individual members of the group, use their personal e-mail addresses.

To get a list of current Loop members, e-mail majordomo@loop.com this message: **who lptv**.

FCC Filings

The Federal Communications Commission recently authorized the following actions. Our filings are based on FCC reports obtained through a research service and from the Internet. You may obtain most FCC public information through the Internet by accessing **http://www.fcc.gov**.

Broadcast Station Totals

The FCC has announced the following broadcast station totals as of July 31, 1997.

AM Radio	4,812
FM Radio	5,488
FM Educational	1,899
TOTAL	**12,199**
UHF Commercial TV	638
VHF Commercial TV	558
UHF Educational TV	241
VHF Educational TV	124
TOTAL	**1,561**
FM Translators and Boosters	2,815
UHF Translators	2,725
VHF Translators	2,273
TOTAL	**7,813**
UHF LPTV Stations	1,456
VHF LPTV Stations	558
TOTAL	**2,014**

New LPTV Licenses

K12OJ Palm Springs, etc., CA. Asiavision, 8/18/97.

K22FC Grants Pass, OR. Gonzalo Santos, 8/14/97.

W52CD St. Albans, VT. Vermont Low Power TV, LP, 8/14/97.

New LPTV Construction Permits

K30FG Douglas, AZ. Gilbert Martinez, 8/14/97.

K38FH Douglas, AZ. Gilbert Martinez, 8/14/97.

K52FR Harlingen, TX. Agustin Torres, Jr., 8/14/97.

K28FL McAllen, TX. Marilyn Cameron, 8/14/97.

K32ER McAllen, TX. Ileana Luftop, 8/14/97.

K67HC McAllen, TX. Norma Torres, 8/14/97.

K07WU Uvalde, TX. Mineva Rodriguez Frias, 8/14/97.

Assignments and Transfers

K25BP Billings, MT. Voluntary assignment of license and construction permit granted from Big Horn Communications, Inc. to Great Trails Broadcasting Corporation on 8/14/97.

KHLM-LP Houston, TX. Voluntary assignment of license and construction permit granted from Kaleidoscope Affiliates, LLC to US Interactive, LLC on 8/19/97.

Channel Changes

W21BU Andes, NY. WSKG Public Telecommunications Council. Change from channel 83 to channel 21 granted on 8/14/97.

Changes of Community

WOCX-LP Sebring, etc., FL. Sebring Television Corporation. Change from Fort Pierce, FL to Sebring, Avon Park, Lake Placid, Lorida, and Country Club of Sebring, FL granted on 8/14/97.

W21BU Catskill, etc, NY. WSKG Public Telecommunications Council. Change from Andes, NY to Catskill, Hudson, Kinderhook, and Chatham, NY granted on 8/14/97.

Call Sign Changes

The following LPTV stations were assigned new call signs on the dates shown. Licensees must provide written notice to the FCC's call sign desk and await authority to use the new call sign.

KDFX-LP Palm Springs, CA. Pacific Media Corporation. Change from K40DB granted on 8/23/97.

KBNT-LP San Diego, CA. Entravision Holdings, LLC. Change from K19BN granted on 8/22/97.

WWAZ-LP Evansville, IN. South Central Communications Corporation. Change from W52AZ granted on 9/1/97.

WFTB-LP Williamston, NC. Free Temple Ministries, Inc. Change from W55CA granted on 9/2/97.

WBGH-LP Binghamton, NY. David A. Grant. Change from W08DL granted on 8/22/97.

WOPI-LP Kingsport, TN. Holston Valley Broadcasting Corporation. Change from WRZK-LP granted on 8/22/97.

Cancelled Call Signs

K44EW Pago Pago, AS. Howard Winkler, 8/21/97.

W44BC Brentwood, NY. Jose Luis Rodriguez, 8/13/97.

K58EW Rock Springs, WY. Loflin Children's Trust—One, 7/30/97.

K64EP Rock Springs, WY. Loflin Children's Trust—One, 7/30/97.

Classifieds

USED EQUIPMENT WANTED: For channels 19 and 53: 1-kW transmitters; Andrew ALPS or equivalent antennas; STL microwave systems—prefer 7 gig; 6-foot microwave antennas—prefer 7 gig. Call Don, (760) 327-7250.

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FOR SALE: Used Scala, Bogner, and Andrew LPTV antennas. Call Ben Miller, (714) 665- 2145.

WANTED TO BUY: LPTV stations and CPs. Please call Pat, (714) 665-2142. Trinity

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Please send news items to the address above, or e-mail to Jackie Biel at **kbltd19@idt.net**.

Jackie Biel: Editor and Publisher
Patrick Urban: Layout
Heather Kompas: Marketing

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DEADLINES: Advertising and copy deadlines are 5:00 PM CT on Wednesdays, twelve days before the publication date. Ad cancellations will not be honored after the deadline.

New advertising and editorial will be included as space permits until 8:00 AM CT on the Monday (seven days) before the publication date. Fax ads and editorial copy to Jackie Biel, (414) 781-5313. All new ad artwork must arrive at *Community Television Business* offices by 5:00 PM CT on the Monday before the publication date. The express mail address is 5235 North 124th Street, Butler, WI 53007.

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 ISSN 1083-0685

What to Do in Vegas

(. . . or Conventions Are Fun But Ultimately They're Work, So Take Some Time Off While You're There)

by Jackie Biel

Going to the CBA Convention? Why not plan a bit of vacation time around your trip. There's plenty to do—even for your kids.

Does anyone (except Bill Gates) have any money these days??? Gambling is fun—for a while. But when you run out of your allotted stash (and when the kids get bored), there are many alternatives. And most cost little, or even nothing at all.

My favorite is a hike in Red Rock Canyon. For the price of a rental car, you can head out Las Vegas's Charleston Boulevard (which intersects conveniently with the Strip) and within 30 minutes be climbing among beautiful red sandstone canyons and intriguing desert vegetation.

The last time I did that (like this year's, that convention was also in November) a local resident and frequent hiker assured me that all the rattlesnakes were really too cold to be interested in me. And, as a matter of fact, I saw nary hide nor rattle of any kind of creature, though the day was sunny and the temperature in the 60s and I was climbing as many rocks as I could manage without hiking boots.

I did see a gorgeous, spring-fed natural fountain, a wonderful delicate plant with what appeared to be its own water storage tanks (I picked one and tenderly hand-carried it all the way home on the airplane), and the most incredible sunset I've ever seen—bright red light splashing on the red canyon walls with the exuberance and brilliance of a Van Gogh or a Chagall.

Back at the Excalibur, one of the newer Vegas hotels, you can get some of the city's best steaks served on a plank just like King Arthur would have had it. (The hotel, however, does supply the silverware that Arthur lacked.) And afterwards you can stroll through the hotel's Fantasy Faire enjoying craft booths, medieval games, gypsy carts, and two 48-seat magic motion machines.

The Excalibur is also a walkway away from the Luxor—Vegas's take on the great Egyptian pyramid of Cheops, the enormous MGM Grand, and the just-opened New York, New York. If you haven't had a vacation yet this year, consider staying a few extra days to check out some of these other Las Vegas–area attractions. Unless noted, all are in the city.

For more information, call the Las Vegas Tourist Bureau at (800) 777-VEGAS.

(P.S.: For a romantic evening, or an impressive client dinner, visit Ristorante Italiano in the Riviera Hotel. This is one of the best Italian restaurants I've ever had the pleasure to visit. Try the stuffed artichoke appetizer. It is superb!)

The Imperial Palace Auto Collection: More than 200 antique, classic, and special interest automobiles displayed in a gallery on the fifth floor of the Imperial Hotel's parking facility. Info: (702) 794-3174.

Lied Discovery Children's Museum: Touch, see, explore more than 100 hands-on science and art exhibits in one of the country's largest kids' museums. Info: (702) 382-3445.

Lost City Museum of Archaeology: Located in Overton, NV, this museum features artifacts and reconstructed structures from the Anasazi Indian culture that lived in the Moapa Valley from the first to the twelfth centuries. Info: (702) 397-2193.

Bruno's Indian Museum: This Boulder City museum features more than 2,000 pieces of Southwest Native American art. Info: (702) 293-4865.

Liberace Museum: You've got to see this. The world's largest collection of rhinestones! Plus Liberace's autos, pianos, and wardrobe. Donations benefit the Liberace Foundation for the Performing and Creative Arts. Info: (702) 798-5595.

AJ Hackett Bungy: For the brave, 180 feet of pure adrenaline. Bungy water dips are optional! Info: (702) 385-4321.

Black Canyon River Raft Tours: A 12-mile, rapid-free raft tour down the Colorado River. The tour begins at the Hoover Dam and features waterfalls, hot springs, fascinating geology, and history. Info: (800) 696-RAFT.

Circus Circus Theme Park and Grand Slam Canyon: Five acres of thrilling rides, attractions, and shows for all ages amidst classic desert caverns, pinnacles, and cliffs. Info: ((702) 794-3939.

Cowboy Trail Rides/Red Rock Canyon Riding Stables: Hourly, half-day, full-day, and overnight horseback riding. See wild mustangs and enjoy barbecue dinners. Info: (702) 387-2457 or 595-3738.

Desert Demonstration Gardens: Learn to create a "water-smart" garden at Southern Nevada's horticultural resource center. Free self-guided tours, literature, and classes. Info: (702) 258-3205.

Ethel M Chocolate Factory: This ultra-modern chocolate factory in Henderson, NV offers a self-guided tour and free samples. An adjoining cactus garden features more than 300 cacti and other desert plants. Info: (702) 458-8864.

Flyaway Indoor Skydiving: Flyaway is a 21-foot vertical wind tunnel where you can fly without wings. Info: (702) 731-4768.

Kidd's Marshmallow Factory: A free self-guided tour of this Henderson, NV plant, and a bag of marshmallows for each visitor. Info: (702) 564-3878.

The Fremont Street Experience: Shows every hour on the hour between dusk and 11 PM. A pedestrian promenade features a variety of animated, computer-generated light and sound shows high overhead. Info: (800) 249-3559.

Ultrazone: The Ultimate Laser Adventure: Three-team laser adventure game played in thick fog, where sharp reflexes and high-tech lasers are your only defense. Where virtual reality stops—and reality begins . . . Info: (702) 734-1577.

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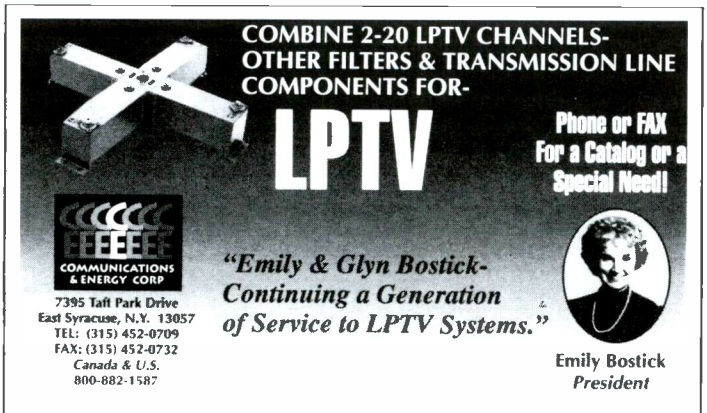

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AT THE FCC

Pennsylvania LPTV Loses Cable Carriage Bid

The FCC has denied a complaint by Larry L. Schrecongost that several Pennsylvania cable systems refused to carry his LPTV station, W49BV in Indiana, PA.

Schrecongost's dispute with TCI, Adelphia, Bethel Cable, Summerville Cablevision, and Commuter Cable Television involved a complex set of issues regarding provisions of the 1992 Cable Act which granted must carry to certain LPTV stations. Among these were the quality of TV 49's signal to the system headends, whether or not some of the cable franchises were outside of the top 160 Metropolitan Statistical Areas, and whether or not TV 49 indeed fulfilled its requirement to provide local news and informational programming not available from area full power stations.

In its decision, the FCC agreed with Schrecongost that none of the cable systems had proved that TV 49's signal to their headends was inadequate. But the Commission denied Schrecongost's petition anyway, saying that he had failed to prove that TV 49 indeed aired local news and informational programming.

Schrecongost had argued that he airs a weekly Mass from the local Catholic diocese as well as high school sports and area political debates. But the Commission decided against him because he had provided them with "only unspecified examples" of local programming with no accompanying information "regarding the scheduling of such programming or how it fulfills the mandate of the Commission's rules."

Schrecongost was unavailable for comment on the decision.

Coming Up

1997 NAB Radio Show. September 17–20, New Orleans Convention Center, New Orleans, LA. Info: (800) 342-2460.

Radio-Television News Directors Association International Conference & Exhibition. September 17–20, New Orleans Convention Center, New Orleans, LA. Info: Rick Osmanski, (202) 467-5200.

Digital Wireless TV: Finance & Valuation Strategies. Sponsored by Digital Broadcast Corporation. September 18–19, Marriott East Side Hotel, New York, NY. Info: (800) 999-3123.

1997 NAB Hundred Plus Exchange. September 20–22, New Orleans, LA. Info: Carolyn Wilkins, (202) 429-5366.

IEEE Broadcast Technology Society 47th Annual Broadcast Symposium. September 24–26, Sheraton City Centre Hotel, Washington, DC. Info: Dr. Gerald Berman, (301) 881-4310.

Society of Broadcast Engineers National Meeting. September 25–27, Four Points Hotel & Conference Center, Syracuse, NY. Info: John Poray, (317) 253-1640.

Oregon Association of Broadcasters 57th Annual Fall Conference. September 25–27, Portland Airport Shilo Suites, Portland, OR. Info: Bill Johnstone, (541) 343-2101.

Maine Association of Broadcasters 50th Annual Convention. September 26–28, Sebasco Lodge, Phippsburg, ME. Info: Suzanne Goucher, (207) 623-3870.

Tennessee Association of Broadcasters 50th Annual Convention. September 27–29, Meadowview Inn and Conference Center, Kingsport, TN. Info: (615) 399-3791.

National Religious Broadcasters Eastern Chapter Annual Convention. September 28–30, Sandy Cove Convention Center, North East, MD. Info: (301) 582-0285.

Society of Professional Journalists National Convention. October 3–5, Marriott City Center, Denver, CO. Info: (317) 653-3333.

15th Annual Private & Wireless Show. October 8–10, Wyndham Anatole Hotel, Dallas, TX. Info: (800) 555-0224.

Association of National Advertisers 88th Annual Meeting and Business Conference. October 17–21, Ritz Carlton Laguna Niguel, Laguna Niguel, CA. Info: (212) 697-5950.

DTV²: The Second Annual Digital Television Forum. October 20–22, Marriott World Trade Center, New York, NY. Info: (800) 647-7600.

Community Broadcasters Association 10th Annual Convention and Exposition. November 9–11, Excalibur Hotel, Las Vegas, NV. Cocktail gathering, 5 PM, November 8 at the Excaliber. Registration Info: Eddie Owen, (502) 885-4300. Exhibitor Info: Ron Bruno, (412) 922-9576 or Greg Herman, (503) 289-2456.

Society of Motion Picture and Television Engineers 139th Technical Conference. November 21–24, Marriott Marquis Hotel, New York, NY. Info: (914) 761-1100. Includes a day-long seminar—Implementing DTV: Practical Issues for Engineers, Managers, Producers, and Content Owners—on Friday, November 21.

The Western Show, California Cable Television Association. December 9–12, Anaheim Convention Center, Anaheim, CA. Info: (510) 428-2225.

National Association of Television Program Executives 34th Annual Program Conference and Exhibition. January 19–22, 1998, Ernest Morial Convention Center, New Orleans, LA. Info: (310) 453-4440.

NAB '98. April 4–9, 1998, Las Vegas, NV. Registration Info: (800) 342-2460, (202) 775-4970; Exhibitor Info: (800) NAB-EXPO, (202) 775-4988.

DRTV Expo & Conference. April 21–23, 1998. Long Beach Convention Center, Long Beach, CA. Info: (800) 854-3112.

Jenkins Election Probe Near the End?

Votes in 30 Precincts to be Analyzed for Fraud

by Jackie Biel

The Senate Rules Committee's investigation into last year's Senate election in Louisiana may be nearing the finish line.

Committee chairman John W. Warner (R-VA) has ordered investigators to analyze the votes cast in some 30 state precincts for possible fraud. And, according to the September 11 *Washington Times*, investigators have subpoenaed Louisiana gambling industry officials for a hearing September 18 into the use of gambling proceeds to pay for Democratic get-out-the-vote efforts and voter bussing on election day. Warner has said that he hopes to finish the investigation by the end of this month.

The probe began when Louis "Woody" Jenkins charged that he lost the election to Democrat Mary Landrieu because of massive vote fraud centering in Orleans parish and implicating both election officials and New Orleans Democratic mayor Ernest Morial's Louisiana Independent Federation of Electors, or LIFE—a group that Morial says was formed only to educate voters. Jenkins says, however, that LIFE volunteers helped engineer a massive push for Democrats, including Landrieu, in last November's federal elections.

(Last week, LIFE was sued by the Louisiana Ethics Board. The suit charges that LIFE is a political organization and violated state law by failing to file campaign finance reports or registering with the state. LIFE attorneys denied the charges and have counter-sued, challenging the constitutionality of the ethics law.)

Jenkins, a Republican, owns several LPTV stations in Louisiana and is a former member of the board of directors of the Community Broadcasters Association. He lost to Landrieu last year by 5,788 votes out of 1.7 million cast.

Senate Rules Committee chairman John Warner (R-VA) said on September 4 that there is no evidence so far that implicates Landrieu in any of the alleged illegal activities. But he also said that Landrieu's innocence or guilt "is not the underlying issue. It's whether or not there were factors in this election which could have affected the outcome as a consequence of criminal fraud."

Warner also reported that the investigation revealed "a significant failure, by election officials, in numerous Louisiana statutory provisions designed to safeguard elections from voter fraud." He added, however, that many of the security breaches "appeared to be unintentional."

The probe has been slowed by opposition from Senate Democrats who at first attempted to block action entirely, delaying its launch until June 9. Then, after only two weeks, Rules Committee Democrats, led by ranking member Wendell Ford (D-KY), withdrew, taking six FBI agents with them. The Rules Committee voted 9 to 7, along party lines, to continue the investigation anyway. And on July 31 it resumed with only two committee staff attorneys and two New Orleans investigators.

But despite limited staff, investigators—along with the Baton Rouge district attorney—found evidence of fraudulent activity, including 3,700 persons who registered to vote using duplicate social security numbers, people who voted more than once, and forged signatures on precinct registers.

Senate Democrats, charging that the probe amounts to a GOP witch hunt, invoked a rule September 4 under which any senator can stop committees from meeting two hours after the Senate goes into session or after 2 PM. Republicans, in return, shut down the Senate for two hours in mid-afternoon so a committee could hold a hearing.

The move, led by minority leader Tom Daschle (D-SD), could escalate, delaying action on crucial legislation. Majority leader Trent Lott (R-MS) said on September 5 that, if that happens, he will employ countermeasures, including delaying action on President Clinton's "fast track" trade negotiating authority or on presidential nominations for judicial and other posts, and keeping the Senate in session late into the night to make up for lost time.

For earlier stories on the election probe, see *CTB* issues for December 23, 1996 and April 21, May 5, and June 2, 1997.

AT THE FCC

Regulatory Fee Reports Can Be Sent on Disk

Broadcasters and others regulated by the FCC may submit regulatory fee reports on diskette—if they owe 50 or more separate fees. Fees are due this week.

The appropriate software, which can be used only with Windows 3.x or Windows 95 programs on IBM or compatible computers, can be downloaded from the FCC's web page at www.fcc.gov by clicking on the "fees" link. Or it can be ordered from the FCC's copy contractor, International Transcription Service, at (202) 857-3800.

Fee reports on disk must be accompanied by payment and by a completed Forms 159 or 159C, both of which have been revised this year. Forms can also be obtained through the FCC's web page or from ITS.

AT THE FCC

FCC Seeks Comment on Local Rules About Transmitter Placement

In one of the first responses to petitions for reconsideration of its digital TV rules, the FCC has issued a *Notice of Proposed Rule Making* asking for comment on the extent to which it should force local authorities to allow changes in tower placement or height, despite local rules limiting such changes.

The Commission said that achieving its "aggressive but reasonable" DTV construction schedule means that it may have to preempt state and local zoning and land use laws and ordinances.

The recon petition, presented by the National Association of Broadcasters and the Association for Maximum Service Television, proposed a new rule requiring state or local action within 21 days of a broadcaster's request to modify its transmission facilities; within 30 days of a request to relocate, consolidate, or increase the height of existing facilities; and within 45 days for all other requests. Requests would be considered granted if state or local governments do not respond within the time limits.

The FCC wants to know how other broadcasters and local authorities view these proposals. They also want to know generally about any other state or local regulatory obstacles that broadcasters or tower owners have encountered regarding tower siting, how any past difficulties may resemble problems that broadcasters expect as they build DTV facilities, and whether existing local and state regulations might interfere with the accelerated DTV build-out.

Paul Broyles, president of International Broadcasting Network which owns ten LPTV stations in Texas, commented that the shortage of tower space resulting from the additional antennas needed for DTV, as well as the rapid growth of various nonbroadcast services, will make tower rental prices rise and even may force tower owners to evict some FM and LPTV stations to make room for other tenants. But, Broyles added, the FCC's proposed actions may mitigate this problem to some extent.

Robert von Bereghy of Milwaukee-based Midwest Tower Partners agreed in part: "We're seeing a continuing demand for tower space, especially for cellular phone, PCS, and paging sites," von Bereghy said. Midwest also raised their rates about seven months ago. Increases ranged from 20% to 50% depending on the tower location and the space and windloading required by the equipment mounted on the tower.

Von Bereghy said that Midwest does not intend to break its leases with any present tenants. It is reserving the tops of its highest towers for digital TV antennas.

Broadcasting & Cable (August 25, 1997) reported that two-thirds of the nation's broadcasters will need new or upgraded towers to handle DTV antennas, leading to many requests for state and local regulatory preemptions.

Comments on this *Notice* are due October 30; reply comments are due December 1.

AT THE FCC

Kid TV Rules Now In Effect

The FCC's new rules on children's television programming took effect on September 1. The rules mandate that TV stations air at least three hours of educational programming for kids every week.

LPTV stations generally are not subject to the children's programming rules right now. However, stations who are carried on cable under the must carry rules must abide by them. And if the FCC grants primary status to certain LPTV stations—as it has indicated it plans to do—those stations will almost certainly have to obey the rules as well.

AT THE FCC

Quello To Leave FCC By November 1

FCC commissioner James Quello has said he will leave the Commission November 1, even if a successor is not yet confirmed, reports *Broadcasting & Cable* (September 1, 1997.)

B&C says that Quello is eager to begin teaching at Michigan State University, where he will be the first occupant of the Quello Chair.

Quello has long been a supporter of the LPTV industry. He has attended several Community Broadcasters Association conventions and was the keynote speaker at CBA '91, where he praised what he called the "specialized localism" of LPTV stations and expressed support for industry initiatives such as 4-letter call signs and increased power limits.

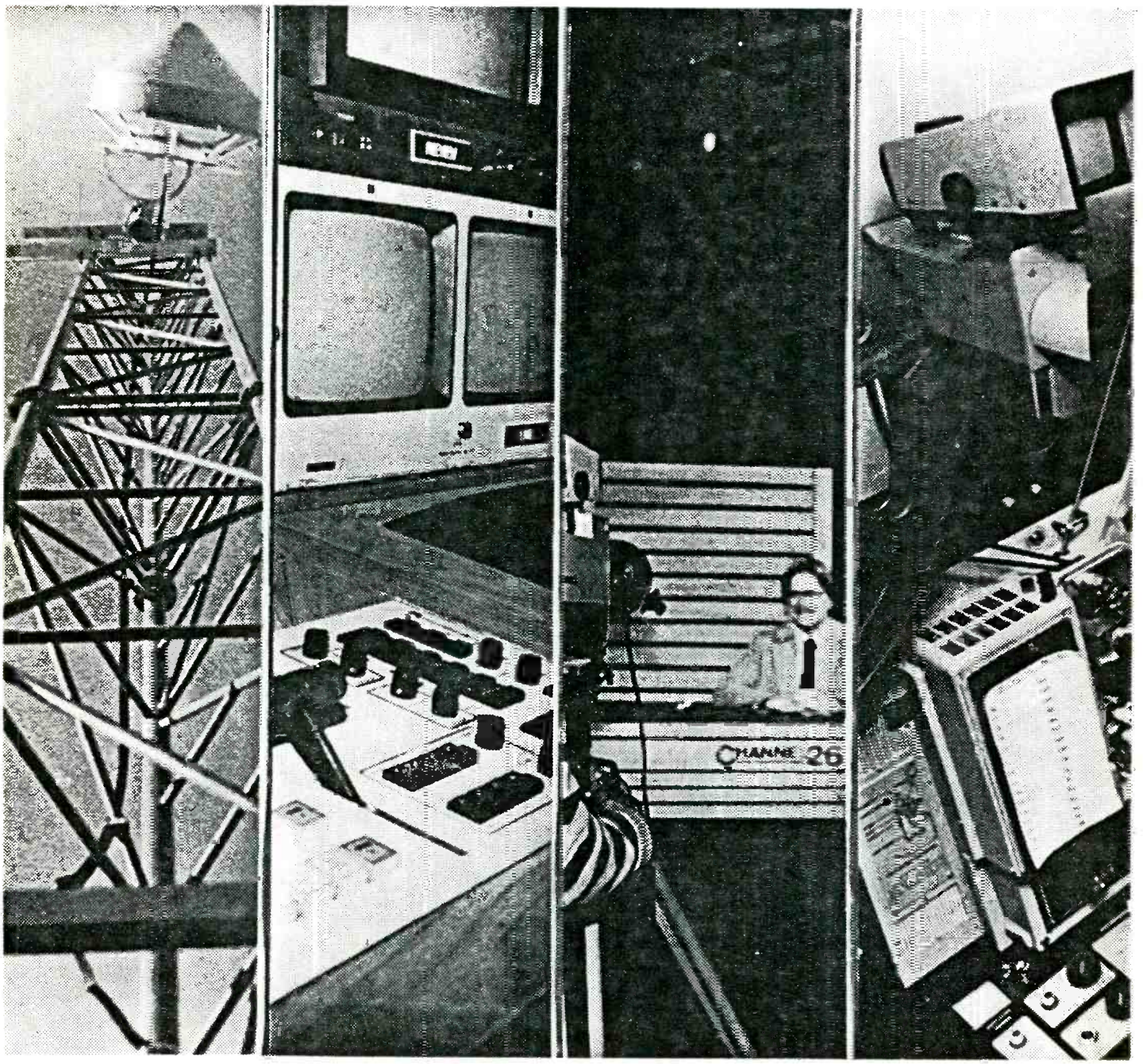
LPTV Stations Break 2,000 Mark

According to the latest reports from the FCC, there are now 2,014 LPTV stations licensed in the United States. The number of licensed stations broke the 2,000 mark at the end of June.

LPTV stations serve every U.S. state and two of the four U.S. territories. According to *CTB* files, Alaska has the most stations at 273 (some 200 of these form an educational network in the state). Minnesota follows with 132, California with 118, Texas with 107, and Florida with 77.

Lo-Power Community TV

November 1985



Whatever Happened To ? ? ?

Channel 26 Bemidji

What's Happening

A lot of LPTV CP holders do not build because, after a four or five year delay in getting the permit, the tower site specified is no longer available or the person who did the application never bothered to find a tower site but just pulled one out of thin air.

Many believe that since there is no tower site or there is not one where they said there was, the CP is no good because they believe you cannot move more than a few hundred feet to a new antenna site. Therefore, in this issue, we are attempting to explain how you move to a good antenna site while still being only a minor amendment because you stay within your protected territory of your grant. The FCC staff have been very good about working with you on these moves to a good antenna site. The clearance for the move usually takes about two to three weeks.

WARNING . . . . A lot of Japanese and Far East electronic imports will be going up in cost; yes, that's right— **up**; some, such as Zenith and Sony, as soon as January. The reason being that the yen is falling in relationship to the dollar. Sony says they will have a 12% rise in January.

Up until now we have always advised that you should wait until the last minute to buy your electronic gear (other than transmitters and antennas) because they were constantly getting better and cheaper all the time. This may be the first reversal of that and, if the yen continues to fall, this could be significant when you are buying a lot of bucks worth of production equipment, etc. So . . . pay attention and plan your buying.

We would like to hear from you about what you would like included in this publication as we get very little feedback.

A new LPTV publication has started, and you can probably get a sample copy by writing to **Community TV Journal**, Box 33964, Washington, D.C. 20033-0964. Subscriptions are $135 per year for charter subscribers. Very small print. They do carry applications returned, which we do not. Never thought that was of much value; if yours got returned, you already know it. Otherwise, we carry all FCC releases they do.

Nearly everyone that was making a big splash in LPTV five years ago have faded into the woodword, including other LPTV publications. We were the first and the only remaining until this new publication. We have been printing late in the month every month, and you get an issue every 30 days or so. Rest assured, if anything happens at the FCC, etc., that we think you need to know about at once, we get an issue out practically overnight. Unfortunately, we do not always hear of everything right away, so if anything big happens affecting LPTV that you think we might not know about yet, we do appreciate a call . . . (602) 945-6746.

Happy Holidays!

Network plans to compete with MTV

United Press International

HOUSTON — Officials of a low-power television station say they will inaugurate a "PG-rated" national music television network Dec. 16.

Hit Video USA, which has filed an antitrust lawsuit against the MTV cable channel, will transmit through space leased from RCA on a Satcom 4 satellite to cable systems, commercial and residential dish receivers, satellite master antennae systems and UHF and VHF stations across the United States.

The station will carry popular music videos and special music entertainment programming, said Constance Wodlinger, president of Wodlinger Broadcasting Co., which owns both Hit Video USA and TV 5, a 4-month-old, low-power station based in downtown Houston.

Hit Video will compete with MTV Network Inc., owned by Warner Amex Cable Communications Inc. and American Express Co.

Unlike MTV, there will be no charge for access to the network.

Hit Video also will not air videos with questionable lyrics or pictures, which MTV does.

Hit Video USA network will broadcast music programs 24 hours a day through its affiliates.

Wodlinger Broadcasting in October filed a $205 million antitrust suit against MTV and Warner, claiming the companies have violated federal and state laws by monopolizing the supply of new music video recordings, access to cable systems owned or influenced by MTV and use of cable systems for broadcasting and advertising.

Wodlinger Broadcasting owns and operates KZZC-FM in Kansas City, Kan.; KCLO-AM in Leavenworth, Kan., and WCJX in Miami, Fla.

Reprinted from The Arizona Republic; **Saturday, November 23, 1985.**

Lo-Power Community Television magazine is published 12 times per year. Sample copies are $5, subscriptions $50 per year. Intended to supply needed information on low power television at reasonable cost.

 Editor and Publisher: Harlan L. Jacobsen.

Send address changes to 7432 E. Diamond, Scottsdale, AZ 85257; phone (602) 945-6746.

Hard Won CP's Expiring

A lot of people spent a lot of money getting applications filed: some spent additional money on attornies, etc., after lotteries and then did nothing with their construction permits, letting them expire.

One example is Sterling, Colorado for a VHF channel. That was one I was ready to build and operate (I had time to manage it as a model prove-it-can-be-done station at that time) and when another party won it in a lottery, I filed a petition to deny on the grounds that the application was for 100 watts on a VHF channel which was not even fileable since it was not an allocated channel to the area (10 watts is the maximum you can file for on VHF), and that the application should never have been accepted, let alone put in the lottery.

They hired an attorney and filed a response that said they were hereby amending down to 10 watts and that they were entitled to amend an application "down" in power at any time. The FCC accepted that and disposed of my complaint that it was not acceptable for filing as they had filed it, and went ahead and granted them the CP. Now it expires and they did nothing with it.

Two of mine expired (not won in lottery) recently. One of those was on the highest hill in North Dakota in the middle of nowhere, and I really wanted it as a translator for an LPTV in Jamestown, North Dakota. I lost a lottery in Jamestown and filed a petition to deny on the grounds they had no tower site. They replied that they had no tower site but that there was plenty of land available, according to his relatives in Jamestown. After 15 months, the FCC held another lottery and I lost to another party. In the next channel that came up, someone else filed a petition to deny against the winner in that one, and the winner was finally thrown out and a new lottery held. I lost again. So I had a translator permit in the middle of North Dakota standing alone with nothing to rebroadcast since that was my last chance to win a permit in Jamestown.

Then I obtained four VHF in a small town in Utah: 8,500 people, including those out in the valley (countryside); again, not in a lottery (no one else wanted them). Aha! Finally I have multiple channels in one town—7, 9, 11 and 13—neat. Only thing wrong is when I check the town out, 100% are on the cable with not one antenna in town. The cable system has a local channel, and they run local news, etc. With UHF I could have gotten some viewers by their hooking up their UHF antenna at the same time with the cable on their VHF terminals. With the VHF terminals already busy on 100% of the sets in town, I figure I am dead, or at least too risky for a pilot station on VHF (to prove it can be done). I even have a transmitter here ready to install on one of those channels, but I have better things to do right now, so one expired.

So, a lot of people are not building for a lot of different reasons. It would seem to me if you had other people in a lottery against you and you were the winner and finally decided you weren't going to build it, you should at least offer it to others who were in the lottery with you. Offer it at your filing costs. You kept them from getting it; they are now totally out in the cold (cannot refile), and it would be to your benefit to give them a shot at building it, at least recovering your filing costs.

MUST CARRY RISES AGAIN.....

The TV broadcasting industry as a whole is attempting to get some type of must-carry rules reinstated. This time they hope to write to meet constitutional muster. The thing was thrown out originally when a 12-channel cable system was forced by the must-carry rules to carry some redundant channels and had no room for satellite channels. They applied for a waiver, and the commission was hard-nosed about it, refusing that reasonable request. They went to court, and the must-carry rules were thrown out. The commission would not appeal, saying that they didn't really want those rules any more anyway. Now, the NAB (National Association of Broadcasters) and the independent UHF stations that could compete because they were on cable systems raised holy hell when the value of their stations went down by 50% with the loss of must-carry rules.

We do not get much interest from the powers-to-be in the LPTV association (if there still is one) about making low power channels must-carry. Here we have a chance to correct a wrong on having been left out in the first place. Believe me, if you can get must-carry for low power, it doubles the value of your LPTV station overnight. You have the same footing and appearance as a full power in cable home when you are must-carry.

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W.
WASHINGTON D.C. 20554 906

Report No. DC-297 ACTION IN DOCKET CASE November 14, 1985

FCC PROPOSES AMENDING CABLE "MUST CARRY" RULES,
TERMINATES SEVERAL RELATED PROCEEDINGS
MM DOCKET 85-349; DOCKETS 21323, 21472; BC DOCKET 81-741; MM DOCKET 84-168)

The Commission today proposed amending its "must carry" rules which require carriage of television broadcast signals by cable TV systems and terminated several on-going related proceedings.

Last July 19, the U. S. Court of Appeals for the District of Columbia circuit concluded the FCC's "must carry" rules requiring cable TV systems to carry certain local TV broadcast signals violated cable operators' First Amendment rights. However, the court stated it had not found it necessary to decide whether any version of the "must carry" rules would contravene the First Amendment, adding that the Commission could, if it wished, recraft the rules to make them more sensitive to First Amendment concerns. Subsequently, various petitioners including the Association of Independent Television Stations Inc., the National Association of Broadcasters, the Corporation for Public Broadcasting, the National Association of Public Television Stations, and the Public Broadcasting Service, asked the FCC to begin a rulemaking proceeding on the "must carry" rules.

Noting the considerable concern resulting from the court's decision, the Commission said it was initiating both an inquiry and rulemaking concerning this subject. It also deemed appropriate at this time to examine the communications policy implications of cable's compulsory license in light of the court's decision. (A cable operator is permitted, under compulsory copyright licensing, to carry certain broadcast signals without having to negotiate with the individual broadcaster or program supplier for copyright.)

In addition to comments on these proposals, the Commission asked for other specific proposals meeting the constitutional concerns raised by the court.

Because the present inquiry seeks comments on fundamental issues relating to the "must carry" rules, the Commission decided to close several pending proceedings which had also addressed similar issues. These proceedings are Docket 21472 (saturated cable systems), RM 3745 (carriage of significantly viewed signals) and a Petition for Inquiry relating to Sections 76.55, 76.57, 76.56 and 76.61 of the Commission's rules.

The Commission also incorporated three proceedings into its present inquiry. These proceedings are Docket No. 21323/RM 2836 (subcarrier frequencies in aural base bands), BC Docket No. 81-741/BM-3727/BM-3826 (teletext) and MM Docket No. 84-168 (vertical blanking intervals).

Action by the Commission November 14, 1985, by Notice of Inquiry and Notice of Proposed Rulemaking (FCC 85-607). Commissioners Fowler (Chairman), Dawson and Patrick with Commissioner Quello concurring and issuing a statement and by Memorandum Opinion and Order (FCC 85-608). Commissioners Fowler (Chairman), Quello, Dawson and Patrick.

-FCC

For further information contact Bruce Franca at (202) 632-6302 or Alan Stillwell at (202) 632-6302.

Lottery Winners

Winners in the October 29, 1985 lottery are:

Daniel Lamuate, ch. 52, Honolulu, HI; Maria Elena Torres, ch. 52, Farmington, NM; Leon Crosby, ch. 12, Altoona, PA; John Cook, ch. 14, Buras, LA; Mountain TV Network, ch. 23, Craig, CO; North Platte Television, ch. 46, Ogallala, NE; Mike Mendoza, ch. 50, Ogallala, NE; Crossroads Communications, ch. 14, North Platte, NE; Nightwood, ch. 38, Reeder, ND; Seven Star Television, ch. 42, Scottsbluff, NE; Williston Daily Herald, ch. 38, Williston, ND; Media Properties, ch. 28, Charlotte, NC; Howard Wapner, ch. 21, Norfolk, VA; Mountain TV Network, ch. 26, Gallup, NM; Brunhilda Salgado, ch. 24, Alamogordo, NM; Kelco Television, ch. 30, Anchorage, AK; Apache Communications, ch. 24, Virginia Beach, VA; Heritage Broadcasting, ch. 8, Bladenboro, NC; Crossroads Communications, ch. 34, McCook, NE; Mountain TV Network, ch. 63, Leadville, CO; Great Lake Communications, ch. 48, Warren, PA; Commonwealth Venture Systems, ch. 46, Pascagoula, MS; Kuhlmann Broadcasting, ch. 52, Brookhaven, MS; Jim Cowsert, ch. 13, Little Rock, AR; Thelma Anglin, ch. 53, Hope Mills, NC; Deanna Hinojosa, ch. 3, Eagle Pass, TX; Local Power Television, ch. 22, Olean, NY; Second Local Power Television, ch. 17, Orangeburg, SC; Frontier Southwest, ch. 55, Austin, TX; The Little TV Station, ch. 58, Twin Falls, ID; Kentel, ch. 43, Boise, ID; Jose Armando Tamez, ch. 9, Erie, PA; Lebanon Broadcasting, ch. 46, Lebanon, PA; JLR Broadcasting, ch. 10, Tyler, TX; Evarista Romero, ch. 60, Lakeview, OR; Millard Oakley, ch. 18, Paducah, KY; Local Television Systems, ch. 51, Ocean City, MD; Omar Villareal, ch. 52, Key West, FL; Gaylord Broadcasting, ch. 36, Zanesville, OH; Hermelinda Rodriguez, ch. 24, Clovis, NM; Continental Satellite, ch. 34, Lynchburg, VA; Echonet, ch. 11, Austin, TX; Continental Satellite, ch. 60, Lynchburg, VA; Localvision, ch. 67, Coos Bay, OR; National Innovative Programming, ch. 30, Palo Alto, CA; LPTV Services, ch. 17, Charleston, WV; Debra Kamp, ch. 2, Rio Grande City, TX; Latin American Television, ch. 51, Tifton, GA; Mountain TV Network, ch. 47, Harrison, NE.

Moving Long Distance & Still A Minor Change

The majority of people who have construction permits seem to believe you can only move 600 feet or such from your original tower site.

Many people paid as much as $4,000 per application, and the people who filed their application for them did not even bother to obtain a legitimate tower site. Now they have a CP and no existing tower, etc., and they want to build (or sell it to someone who does want to build it). Often the coordinates turn out to be in the middle of a football field or city hall, etc. One of the things that helps you salvage these is that they were almost always filed for one kilowatt with a very high gain omni antenna.

When you are granted a CP, you are cut out a piece of territory (in this case a circle). You can move around inside that circle and change your coverage, power, etc., just as long as you do not go outside of your "protected" circle.

A simple way to move your tower site several miles is to go down to 100 watts. If you really want to go to a one-kilowatt, file for that later when they open the window; you merely add a one-kilowatt amp to your 100-watter. In the meantime, a 100-watt works well and saves your permit by allowing you to move to a legitimate tower site.

If you used an omni in your filing, you understand an omni really does not broadcast a true circle, but the FCC takes the highest gain point and cuts you out that much territory all the way around, 360 degrees, just like you actually had that much gain in all directions. You can move almost a mile and maintain full power, in many cases, simply by refiling for the move—orienting the high point of the omni back into the direction you moved from and filing the omni antenna as a directional antenna (when so doing, you must include the antenna pattern). Maybe the drawing here will help you to understand that one.

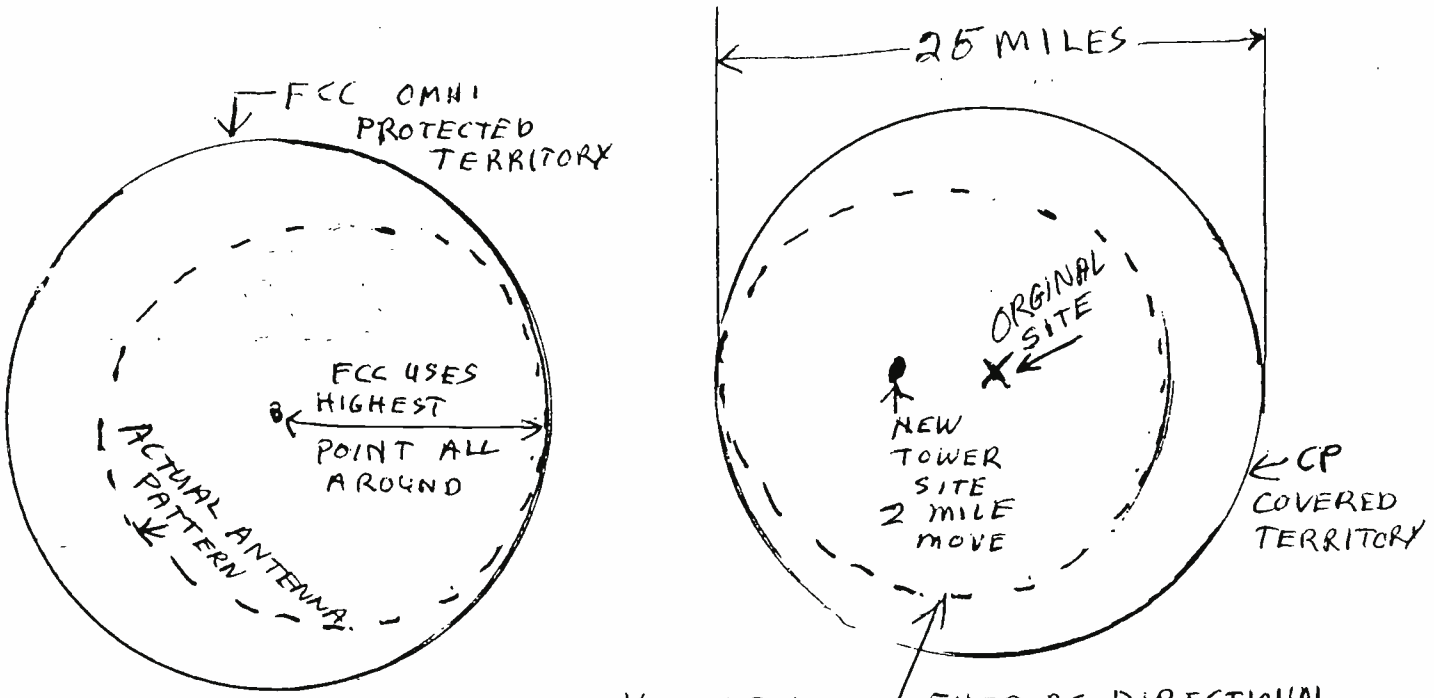
Let's say you are located east of town with a directional antenna pointed west over town. That tower is no longer available (or never existed), but there is a tower available west of town, so that if you pointed east over town it would work fine. But, you say, that's five miles away, and that would be a major change. Not necessarily. You can change make and model of antennas and work out a new composite antenna pattern that does not go outside of the original pattern and protected territory. Again, our illustration may help.

Sometimes, you can simply agree to operate at a little less power to facilitate a move (to keep you inside the protected territory) and file for full power when the window opens.

Some people think that you then open up your territory to competing applications. This is a misconception. You file your license papers with your actual pattern and that becomes your "protected territory". Now, when you file for a power increase, change of antenna pattern, direction, etc., you will be filing in a window and no one else will know what you are or are not filing. If they file for the same channel, etc., in another town and it comes into the new coverage area you are filing for, you will then be able to work out with them a change so you can both exist (such as both pulling back a little, or offset, or change of pattern, etc.). If you can't do that, you will then have a lottery to see if you get to cover into that **new** territory or if they do. Say they are north of town and they win—you still have your old coverage area, and next window you can file for expanded coverage or power east, west and south.

Continued next page

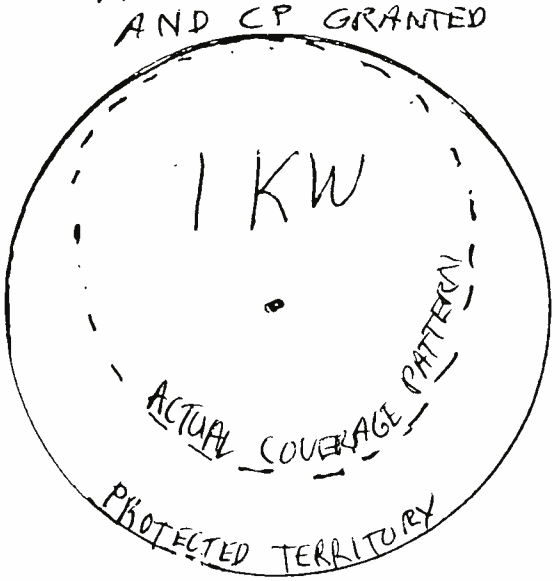
LOOKING DOWN AS ON A MAP



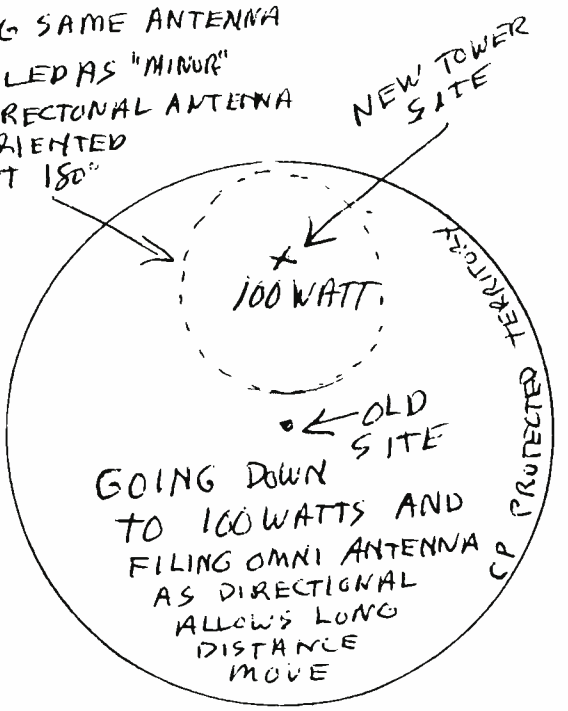
2 MILE MOVE ABOVE DONE WITHOUT CHANGING ANTENNA OR POWER. STILL MINOR CHANGE.

FILED AS DIRECTIONAL ORIENTED AT 90° — PATTERN AT SAME POWER DOES NOT GO OUTSIDE PROTECTED AREA

AS FILED AND CP GRANTED

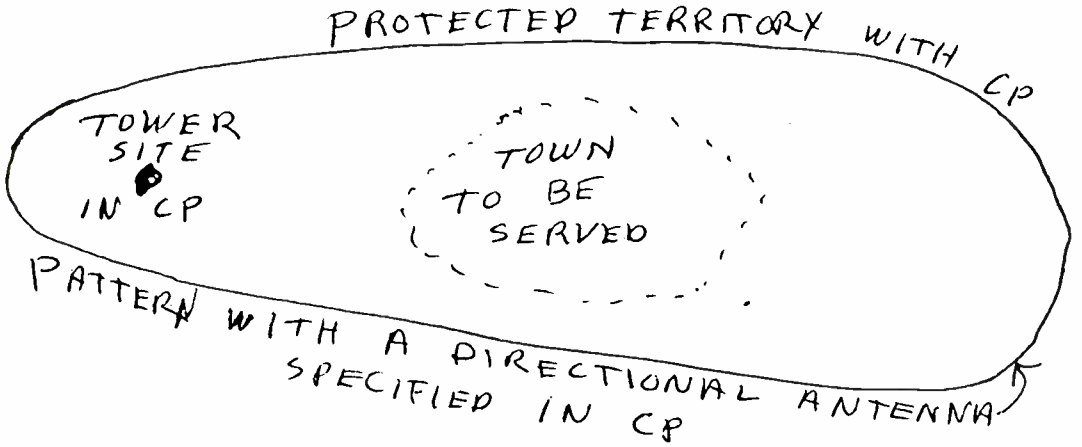


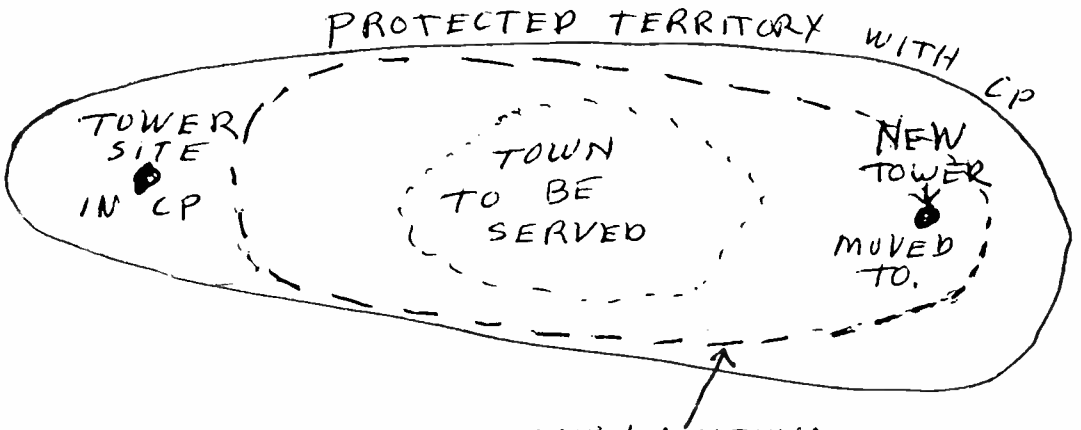
USING SAME ANTENNA REFILED AS "MINOR" DIRECTONAL ANTENNA ORIENTED AT 180°

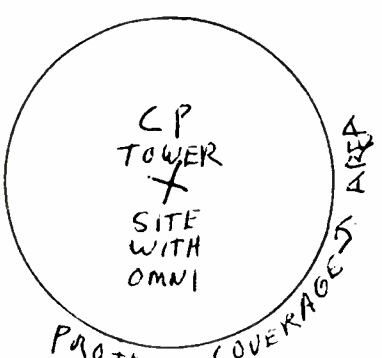


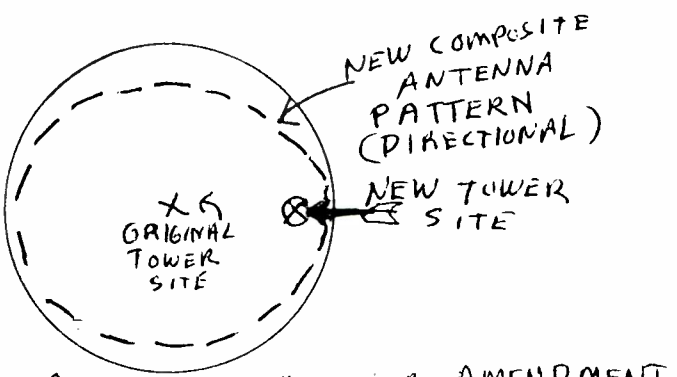
GOING DOWN TO 100 WATTS AND FILING OMNI ANTENNA AS DIRECTIONAL ALLOWS LONG DISTANCE MOVE

NOTE: THESE CHANGES ARE ALL MINOR BECAUSE THEY STAY WITHIN THE COVERAGE AREA GRANTED









Whatever Happened To ? ? ?

In August of 1984 we did an article on channel 28 in Fairmont, Minnesota, a town of 11,506, according to our atlas. The station operated with four full-time employees and four part-time at the time and was and is owned by a newspaper chain that also operated the local daily. In fact, the studio was located in a large area in the basement of the newspaper.

The channel operated with a combination of satellite programming and considerable local programming until November 1984. It was switched to Associated Press alpha numeric news. Recently they have added alpha numeric classified sold in conjunction with newspaper classified which appears on the hour. At the half hour, they now insert eight minutes of alpha numeric local news highlights.

This newspaper chain also owned the New Ulm LPTV which also had an elaborate studio in the $100.000 range. New Ulm had already been switched to all-satellite programming, and local production had stopped when we were there in August of 1984.

Both of these stations had elaborate, expensive studio and production equipment and well-trained employees. New Ulm has a population of 13,756, according to our atlas. Both stations probably picked up that many more outlying viewers in the surrounding small towns and farms.

We have long maintained that LPTV can be operated profitably in small markets with low cost studios and not more than one employee per 10,000 viewers.

To my knowledge, every low power that exceeded that initially has stopped production and gone off with local TV, switching to all satellite, etc.

We will be doing some follow-up stories on LPTV operations that we did articles on in the last year or two.

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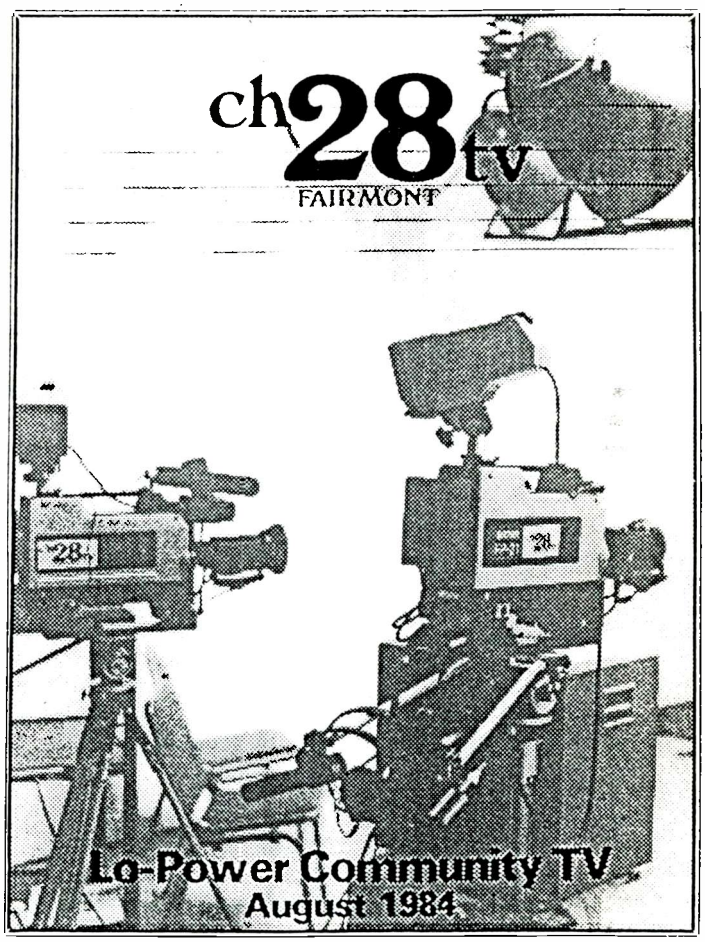
* Alpha Numeric means character generated type on the screen with no other picture.

Recently, I have been traveling around the Midwest a lot and have been chcking on tower sites etc. and I have stopped to visit several low powers along the way. Many of which have been on the air for some time. The kompas/biel listing of LPTV turns out to have a good many listed as LPTV that really are not, they are simply translators who sent in a letter to the FCC SAYING THAT THEY WANTED TO BE RECLASSIFIED AS LOW POWER. The reason many did this and are listed as LPTV stations is because they wanted to run longer announcements in most cases to tell their viewers that if they did not send in a $10.00 donation promptly, the thing was going to go off the air. Translators are only allowed to run seconds an hour of local announcements.

So you will often see listings saying there are X number of low powers in operation. When you get right down to checking them out, you find a good number are merely translators that wanted more time for their fund raising drive etc.



Bemidji LPTV Now Solely STV Operation and Makes Money

Last month I stopped by Bemidji, Minnesota, to do an update on that operation (it was the first LPTV on the air). Our cover has some photos of their early operation. Initially, they had started out with local programming, syndicated taped shows (such as Bonanza and Phil Donahue, etc.) until 7 p.m., plus local news shows, interview programs, etc. At 7 p.m., they switched to Select TV subscription movies and encoded their signal. The first summer they discontinued local production over the summer.

Now, they tell me, they do no local ad-supported programming, being subscription TV 100% of the time. They do an occasional "live" local hockey game, but only their "pay" subscribers get that.

When I did the first story on Bemidji, they had 28 employees; Bemidji, according to our atlas, has 10,949 residents.

Reprinted from Video magazine: December 1985.

Off the Air

The Last Word

Low Power Catch-22

By Bob Brewin

Remember low-power TV? Conceived five years ago in the final months of Charles Ferris' reign as Federal Communications Commision chairman, LPTV came close to being the electronic version of the chicken-in-every-pot promise. Just pony up $250,000 compared to the $2 or $3 million needed to start a full-power station, file a few simple papers with the FCC, and Everyman, almost anywhere, could become a TV mogul.

So many people bought the dream that the FCC was buried under more than 40,000 LPTV applications, which delayed implementation of this fantasy until the bureaucrats could devise a computer program to sift through the paper. Yup, some folks did get rich—the lawyers who heaped all the stuff on the FCC and the engineers who cranked out site surveys on a production-line basis.

Meanwhile reality set in. Low-power output (limited to 100 watts on VHF and 1000 watts on UHF) meant that thousands of new stations could be dropped into the spectrum without interfering with each other or existing outlets. But low-power also meant a limited range—15 to 25 miles under ideal conditions—and not many national advertisers are interested in making media buys on a station whose only service area is a place like Alpine, Texas or Billings, Montana.

Programming was a costly stumbling block too. Satellite-fed networks to serve LPTV stations started and folded with a speed and frequency even the cable industry would find embarrassing. The first LPTV station to go on the air, serving Bemidjii, Minnesota, started with local programming schemes worthy of a big-city network affiliate. It quickly reverted to broadcasting pay-TV programming when ad revenues failed to meet the bills.

But late last year, Jeff Nightbyrd—head of Austin, Texas-based Low Power Technology—broke the LPTV jinx with Catch-22, his station in Anchorage, Alaska. In May 1985 Catch-22 became the first LPTV station in the country with an audience big enough to garner Nielsen ratings. The station's ratings generally more than hold their own in an area with three network affiliates, an independent Christian broadcaster, and a highly competitive cable system.

The first step toward operating a successful LPTV station is to call it anything but low power, says Nightbyrd, who operates another station in the university town of Lawrence, Kansas. "We call our stations 'metro television' because that's what they do—they put a signal into a metropolitan area that's the same strength as full-power broadcasters. Our viewers don't think of us as low-power TV. To them, we're the same as any of the other stations." Then, he said, the station must be built inexpensively (the Anchorage station cost $500,000) but at the same time deliver a quality picture with a big-station look. Nightbyrd did this by buying the best cartridge videotape format technology he could find and creating slick promos and on-the-air IDs.

Finally, programming has to be inexpensive to produce but must have excellent local appeal. To do this Nightbyrd opted for music-video programming crafted to the demographics and interests of the Anchorage area. Promotional flair helped in the start-up. Since Catch-22 was the first UHF outlet in Anchorage when it went on the air in October 1984, viewers had to be taught how to pick up the signal. To do this Catch-22 needed to get a lot of UHF loop antennas into the area—fast. Nightbyrd accomplished this through a tie-in promotional campaign with a local convenience-store chain and Coca-Cola, offering viewers a Coke and an antenna for 50 cents. "We sold 8000 antennas in three months," he says.

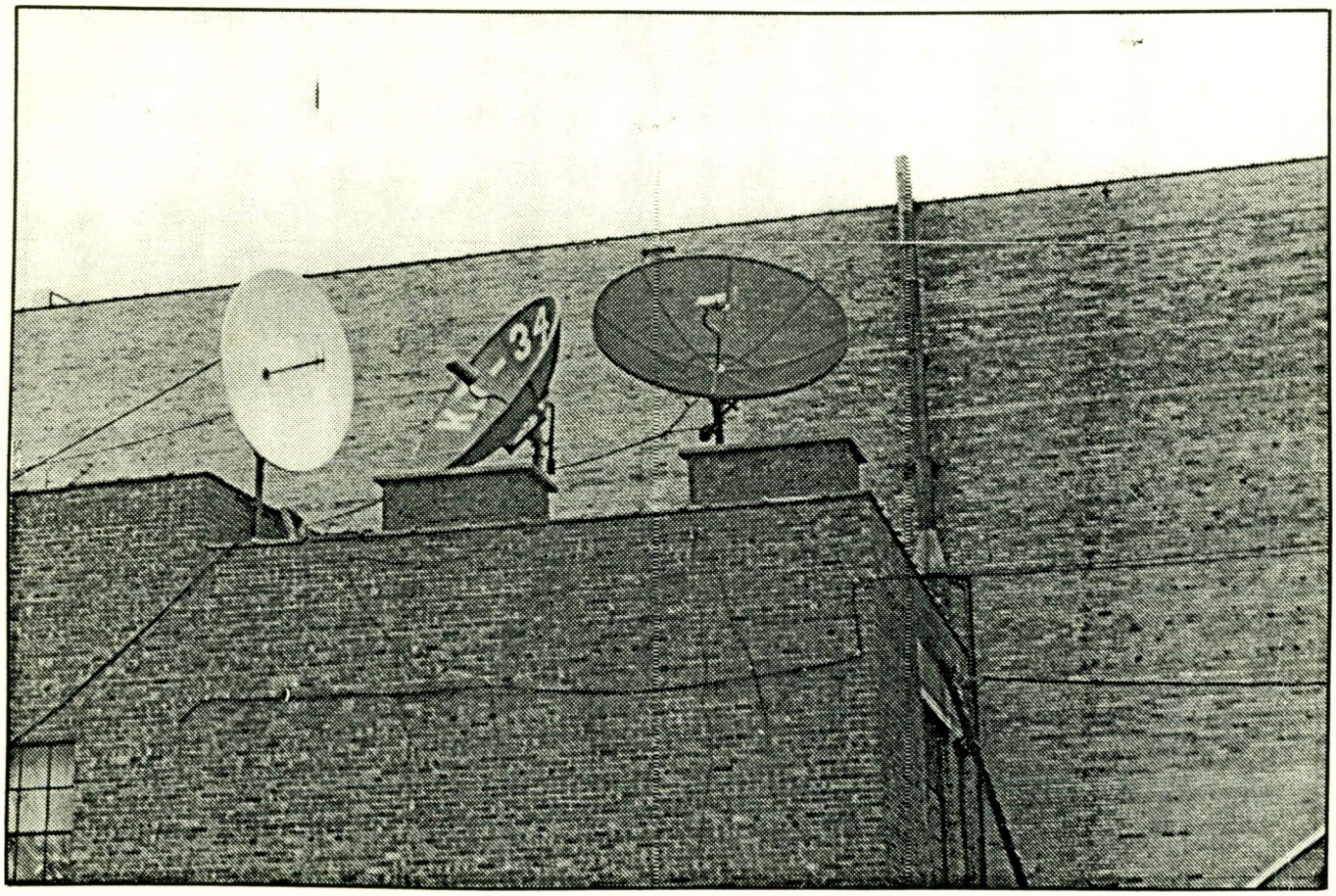
In April 1985 Catch-22 again caught viewers' attention by going stereo ahead of the other stations in the area. This brought in even more viewers. "Stereo and TV stores use our signal to demonstrate their new equipment," Nightbyrd says. The local cable system—which is not obligated under FCC rules to carry LPTV stations—picks up Catch-22 and the stereo audio too. With its blanket coverage of Anchorage, the station easily outdistances MTV (which Nightbyrd calls "tapioca TV").

The station involves itself heavily with viewers, inviting call-ins, sponsoring contests (one prize was a trip around the world), and showcasing local bands in a segment called *Bombshelter Videos*—tapes so excruciatingly bad, they're good. Looking for the kind of character to differentiate the station from the white bread look of MTV, Nightbyrd hired the doyen of the local club scene, Lulu Small, as an on-the-air VJ. She showed up in red-and-black leopard-print Spandex pants. Catch-22 also made a headlong assault on what Nightbyrd considers his real competition—radio. The station touts itself as "FM radio for the eyes" and lives up to the billing by beating out every radio station in the city for listeners and viewers.

Catch-22's success in Anchorage also can be measured on the bottom line: Nightbyrd claims it's the first LPTV to make money, with operations going into the black less than nine months after sign-on. That's quite an achievement considering that the station's ad rates average $25 for a 30-second spot, though most advertisers buy flights of commercials in $1000 to $5000 packages.

Nightbyrd has visions of building a national network of LPTV stations based on the Catch-22 model. He had licenses for stations in San Antonio (on a prized VHF slot, Channel 3); Lincoln, Nebraska; Topeka, Kansas; and Kansas City, Missouri. He also inspects and dickers for other properties from would-be LPTV licensees who have seen their dream begin to fade. But he knows it brightens when you change the name of the game from LPTV to MetroTV.

Lo-Power Community TV



New UHF channel 23 STL shown at left carries programming from downtown to hill two miles away. A small, traditional antenna could have been used but old dish was given to us for free. Note the weatherhead on roof next door used for our weather computer.

October
1986

What's Happening

Low power is going to become significant shortly to many satellite programmers just as we predicted five years ago in our seminars on low power.

A great number of companies are getting into television shopping programs (even Sears is negotiating). There are about eight on satellite now and new ones coming on almost daily. They are spending big bucks for satellite time, and they need distribution (numbers of viewers). Almost all cable systems have at least one shopping channel on now, and many have exclusive agreements or no more channel space. So shopping channels coming on now are forced to seek other outlets.

What's left? Full power or LPTV. Full powers require a lot of bucks to buy out but if we get together 100 LPTV stations with 50,000 coverage each, we are becoming just as good as the biggest full power in the country, such as New York City, Chicago, etc. Affiliating and paying low power stations for carriage can mean the difference between success or failure for shopping channels. 24-hour shopping channels mean you can operate totally unmanned, get income coming in that will pay tower rental, electricity, interest and payment on your satellite receiver and transmitter. Stay tuned; there are lots more (programmers of other types) that are going to need signal distribution via LPTV, many coming up soon. Your LPTV can only get more and more valuable (just like land). One new network has eight low powers carrying it and are instrumental in it staying on the air (it's free). One of the satellite channels some LPTV were paying a small amount for is now totally free also.

Those of you who are running conventional programming may want to consider sticking in an hour here and there of shopping channels. Viewers seem to really get into it and will cause a lot of conversation about your station's "bargains."

BEST PROGRAMMING FROM AROUND THE WORLD

We are currently carrying a network that runs from 12:30 a.m. Eastern until 8:30 a.m. Eastern. This network carries the best programs from many different countries such as England, France, Spain, Poland, Germany, Taiwan, Japan, etc. About 60% of these are captioned since they are not in English. Captioning turns off some people, but you do get viewers because:

1. Much of this is a refreshing change from American TV.
2. Hard-of-hearing like captioned programs.
3. People from that country or with ties or ancestors, etc. with that country are loyal viewers.
4. People learning Spanish, for example, watch the words and hear at the same time, learning the language. Also true on movies from France, etc.

About 1/3 of the population now have VCRs, so even if you do not run the Polish program in prime waking hours, they can set their VCR for 3 a.m. (or whatever) and watch it later.

This network runs P.I.s which you can dump and run local, or they will pay you a percentage (small) of everything sold in your zip codes.

You are welcome to tape these shows and run them in prime time the next day. The skill here is to determine which of these will develop a following, since many are ongoing, like American soap operas, etc. A few are boring, sort of like a day in the life of Ivan Kisnivich. But maybe if you are Polish, for example, you might find it fascinating. The trick here is to sort which to rerun in prime time.

Lo-Power Community Television magazine is published 12 times per year. Sample copies are $5; subscriptions $50 per year. Intended to supply needed information on low power television at reasonable cost.

 Editor and Publisher: Harlan L. Jacobsen.

Send address changes to 7432 E. Diamond, Scottsdale, AZ 85257; phone (602) 945-6746.

NEW UHF STL WORKS LIKE A CHARM

This issue we are finally going to tell you about using UHF for STL (studio to transmitter link). Approved for STL use almost a year ago, our first unit was scheduled for delivery August 15th but finally arrived October 15th. Delivered at the same time for installation in Oregon was an identical unit that we hoped to get 18 miles with to a mountain top. Both units are in--our two-mile hop in Sioux Falls goes through a considerable number of wet trees. We can go down to 1/10 of a watt before we notice any drop off in picture quality.

We use a 12-element yagi cut for channel 23 in Sioux Falls for receiving and an 8-foot beat up dish on the transmit end. The feed was made by Scala and is the same as a feed for a Scala 450. Approximately 400 microvolts are received at less than 20 feet off the ground and no preamp is used. We do not have the figures on the Oregon installation, but it seems to be working nicely with a Scala corner reflector-type antenna (model 450) on each end polarized vertically.

The 12-element yagi for receiving was ordered drilled for vertical use but they ignored that and it came built for horizontal mounting. When you use the metal supporting brace vertically, it cuts the signal received nearly 50%, so we cut the brace into two pieces and used a wood dowel (see photo) where the brace was close to the antenna itself. Sitco sent the antenna to Phoenix (did not listen to shipping instructions again), so we temporarily installed a Radio Shack broadband receiving antenna and modified it for vertical operation. This Radio Shack antenna delivered about the same signal level on channel 23 but it also fed a terrifically high channel 34 (our transmitter's channel) into the converter. We notice a somewhat better picture with the yagi. Also, a time or two with the Radio Shack, we had some two-way radio (affected the picture) get into it (apparently when a mobile unit was next to the tower receiving area), whereas with the yagi we have not noticed it ever since installing it. The theory here is that with everything being received at a very high level (including channel 34) when a two-way mobile unit came close to the front of the antenna, it overloaded the front end electronic amplification circuits and, even though the two-way frequency was a distance away (frequency wise), the overload mixed them all together.

With the yagi cut for and responding primarily to channel 23, it picks up very poorly on anything other than 23, whereas the Radio Shack broadband picked up everything equally.

Essentially what you are doing here is installing a one-watt UHF transmitter at your studio and, with a very high gain, directional antenna, broadcasting your signal toward the transmitter site. There you change your transmitter over to what is a traditional translator. You take the modulator (the part that gives the most trouble; this takes video and audio and puts it on a radio frequency carrier) off the hill and move it to your studio (all makes of transmitter use the same one). The modulator output is amplified, converted to a UHF channel and amplified some more to one watt.

At the main transmitter site you install a conventional converter module (changes the incoming UHF signal down to whatever VHF signal you used to start with--the modulator's channel) and amplifies it to the same level you used to get out of the modulator. From there on it does what it used to do, convert that VHF channel to whatever UHF channel you are assigned and puts it out at either 100 watts or 1,000 watts.

So at the hill, we merely add the two little conventional translator modules that were left out when we originally used the modulator to originate with at the transmitter site.

One thing we and the manufacturer forgot is the "now a translator" still thinks it is a low power (modulator fed) and shuts down when you switch video too slowly, etc., and won't come back on for three or four minutes. Drives you crazy. Solution? A 22-microfarad capacitor needs to be installed in the shut down circuitry in place of a .1.

Now that we have all the bugs out, we are absolutely delighted with it, and the Oregon people seem to be also.

Coming in at under $6,000, you have some advantages over conventional microwave:

1. You get your modulator downtown in a warm building where you can see what percentages of modulation you are

running, etc. Much easier to mess with than "on the hill."

2. You can monitor your STL with an ordinary TV set and you can peak it up, etc. with an ordinary field strength meter. Also, the lower the frequency the less problems (UHF is way below most microwave frequencies).

3. You do not modulate as in conventional microwave and then demodulate (go back to video) and then remodulate again. Your modulation percentanges stay pretty much as set with less deterioration.

4. If your one-watt transmitter ever goes down (seriously), you can take a VCR and your modulator up on the hill and get back on the same as you could if your conventional microwave went down.

5. You can use ordinary cabling, fittings and antennas.

6. It should be more reliable with less outages than conventional STL.

ROOF MOUNTING DISHES AND STL

Satellite dish mounting becomes a problem when you are broadcasting from the roof of a building or if your studio is in a building that has no yard, etc., and you must put your dish on the roof. Our photos this issue will show you two such installations and may give you some mounting ideas.

The Rapid City, SD installation, we drilled through two feet of concrete with a hammer and Star drill and had a terrible time with one hole. It turns out we had hit an embedded conduit pipe for electricity head on (it was a heavy gas-type pipe), and we finally broke it out of the ceiling down below. Whew!

When you cannot put a satellite dish on a roof and that's your best transmitter location, then you are going to have to get an STL of some type. If your studio or control room, etc. is to be in the same building as your transmitter, then you would probably want to use conventional microwave frequencies to come in from your satellite dish location and leave your conventional modulator in the building. If your satellite or STL link fail, you could continue originating from tape, etc.

If you used our UHF STL we write about this issue, you would need two modulators and a demodulator. Incidentally, a used junk VCR (say the head is shot) can be used as a demodulator, the tuner still works and you can get video and audio out. Not recommended on a hill in a cold transmitter shack because it will drift.

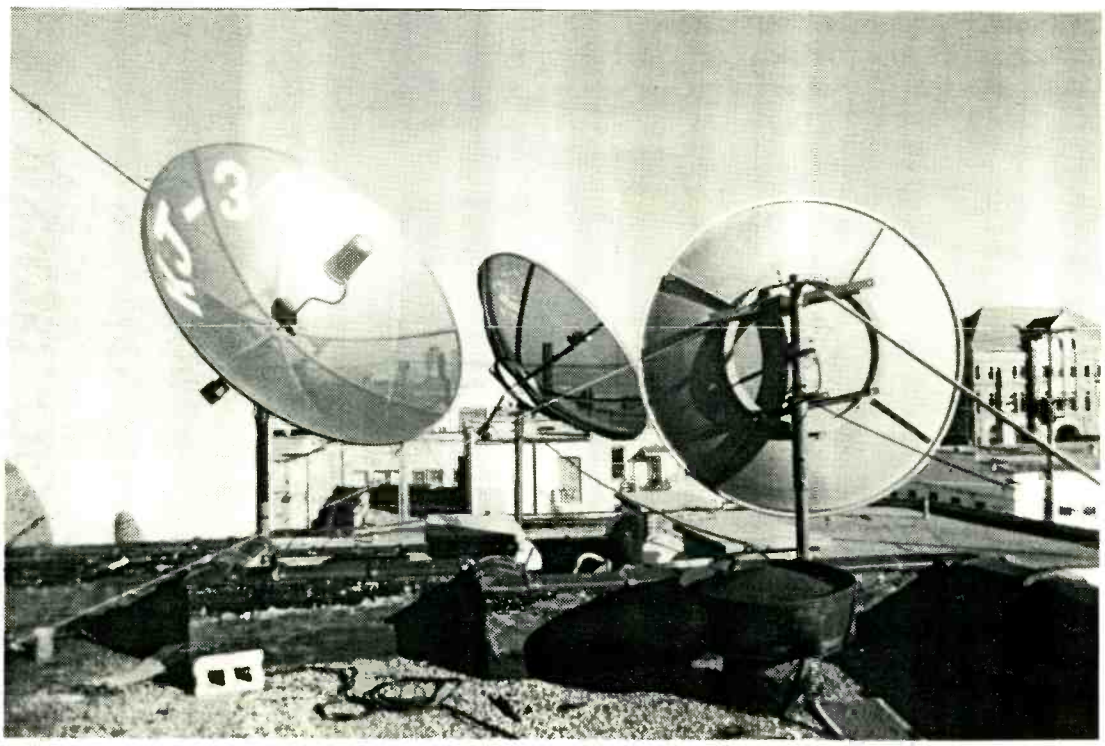
If your studio is somewhere else where you can have a dish or two, then we would recommend you get your signal to the tall building the UHF STL method.

You will need to have a channel search done to find the best available UHF channel. Orient the antennas vertically (instead of conventional horizontal); this is not a requirement but it practically eliminates any possibility of interfering with anything anywhere. You file for the permit from the FCC on a special STL form. Under the rules, you are allowed to operate with the channel pending approval providing you clear it with your local STL frequency coordinator. You can call the chief engineer in a full power in your area and ask him who the local coordinator is (usually a full service engineer in one of the local stations). He won't check the channel for you for interference with other UHF facilities but he will be able only to tell you if anyone else is using or going to use that channel for an STL in your area.

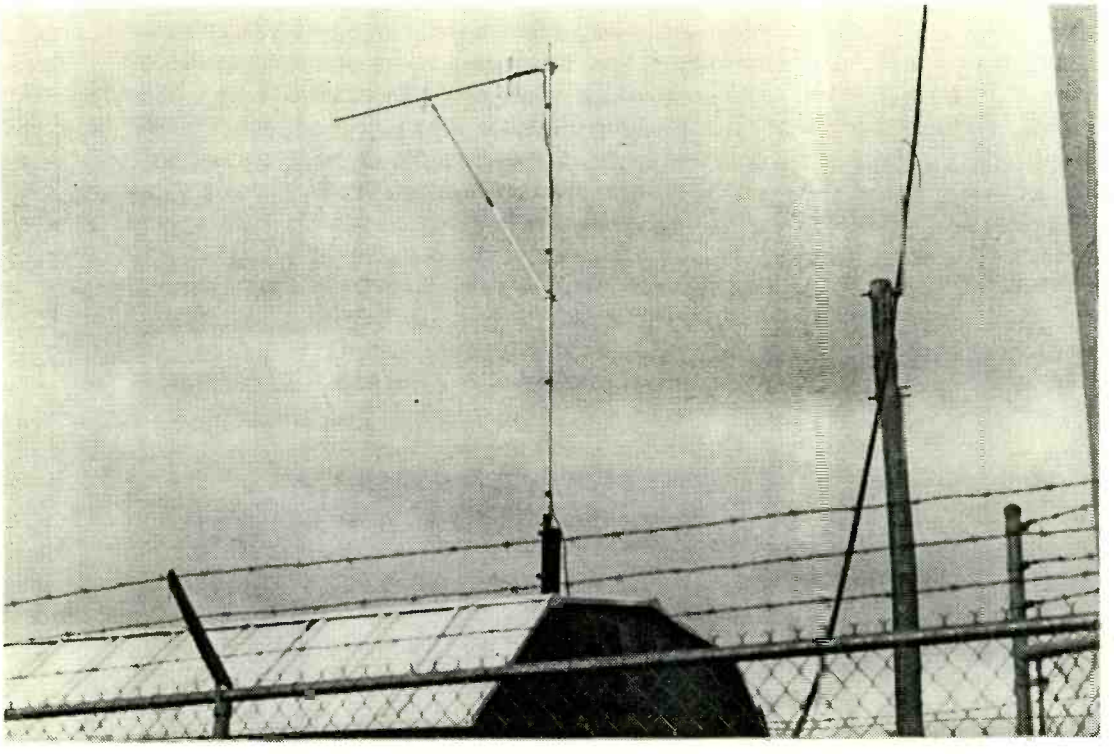
LATEST FROM FCC

The new lottery list for the next lottery was held up. It is due for release November 14th, and the lottery will be held on December 15th. Nothing new on window, new forms, etc.

Two ten-foot Winegard mesh satellite dishes with power operator moving systems on the Sioux Falls roof. Old, beat up, eight-foot Andrew dish, white one on right, is used to carry STL signal two miles to transmitter on channel 23.

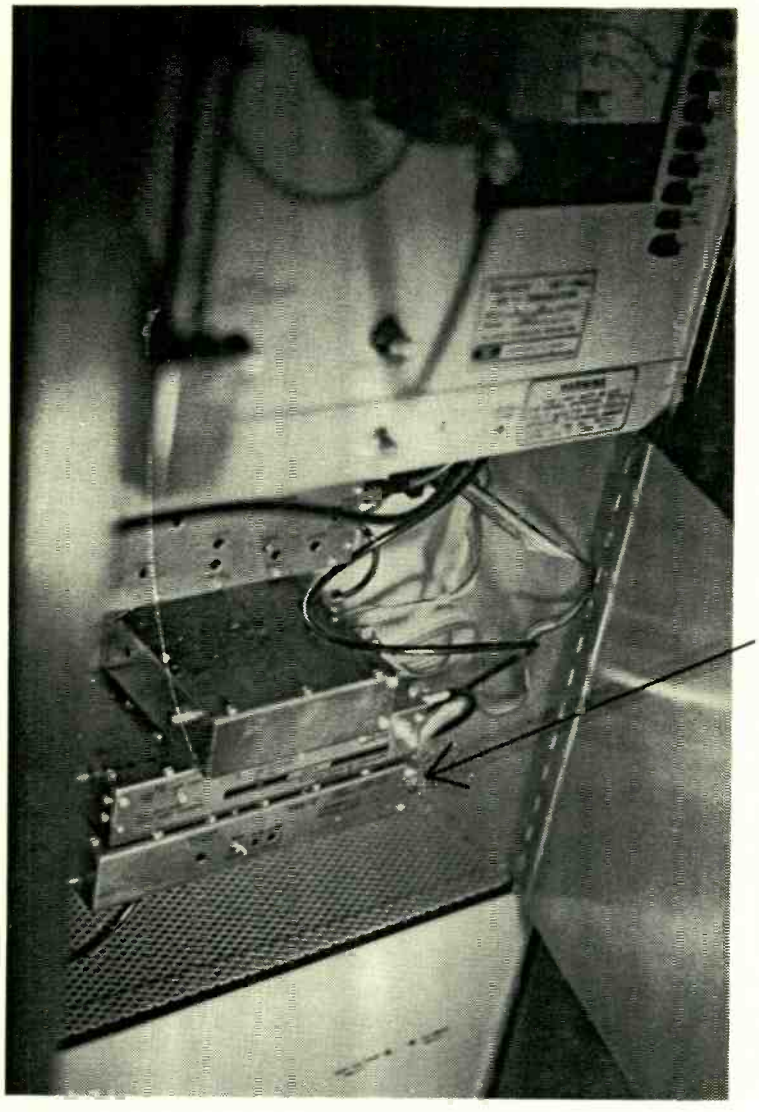


Back view of eight-foot Andrew dish, given to me free because it was all beat up and out of round. A 450-U feed by Scala is adapted for the center feed. 1/10 of a watt covers the two miles; we operate at just under one watt so we have lots of margin.

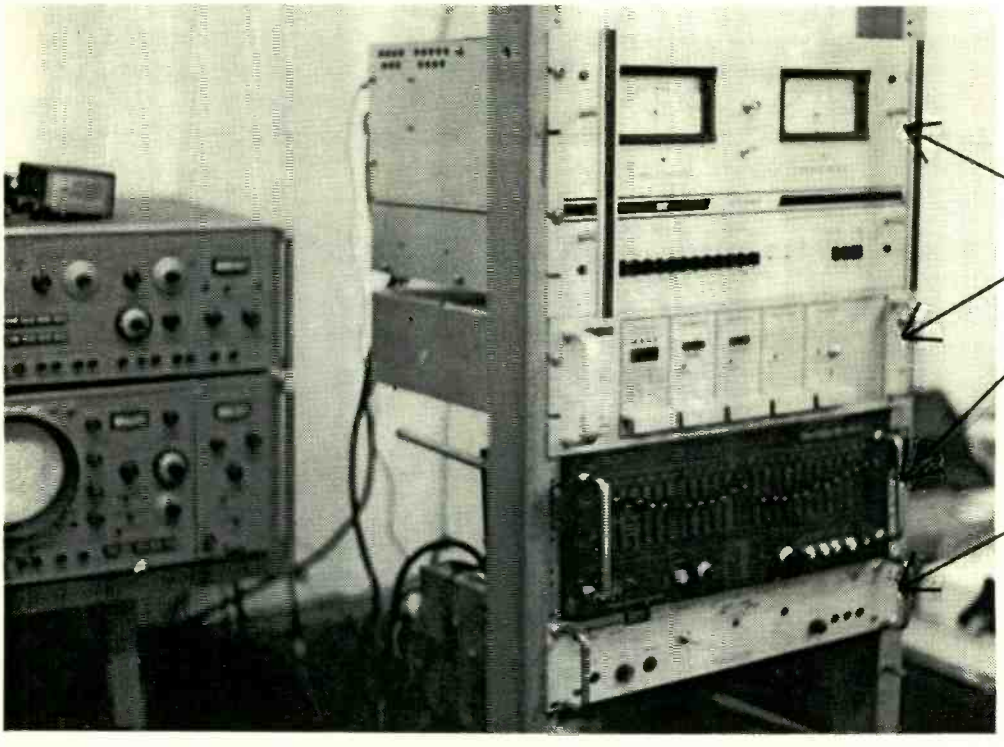


Sitco channel 23 yagi at the transmitter shack two miles away. Vertical polarization (up and down opposed to traditional horizontal) keeps our transmit channel 34 from feeding back in to pick up too heavy, as well as tuned channel 23 antenna with high directivity keeps 23 high and 34 down.

Here is another dish mounted on a wall, which is sometimes necessary when you do not have a backyard, etc.



Bottom two chassis are added to LPTV TTC transmitter to make it a simple traditional transmitter. A capacitor is added to a circuit board for shut down timing since it is no longer a modulator driven transmitter. Middle added chassis (see arrow) is a 23 to 2 converter. Bottom chassis amplifies channel 2 and has automatic gain control to keep level constant. The modulator (biggest source of problems) is now downtown in warm building.

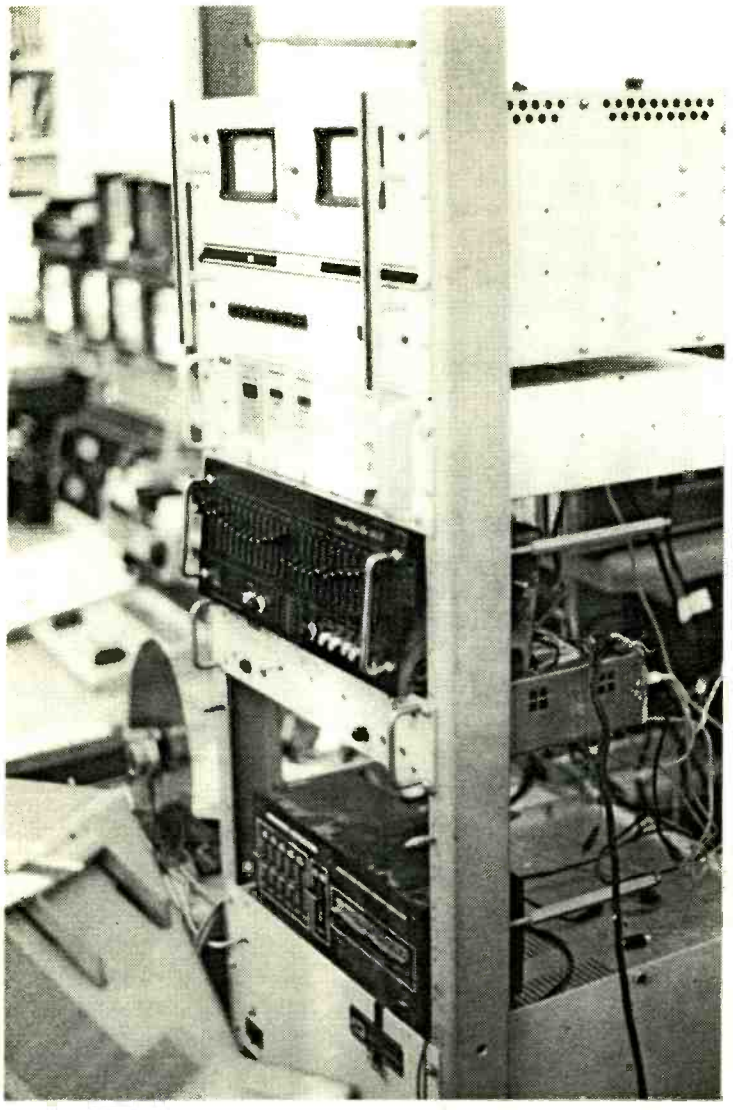


One-watt STL transmitter

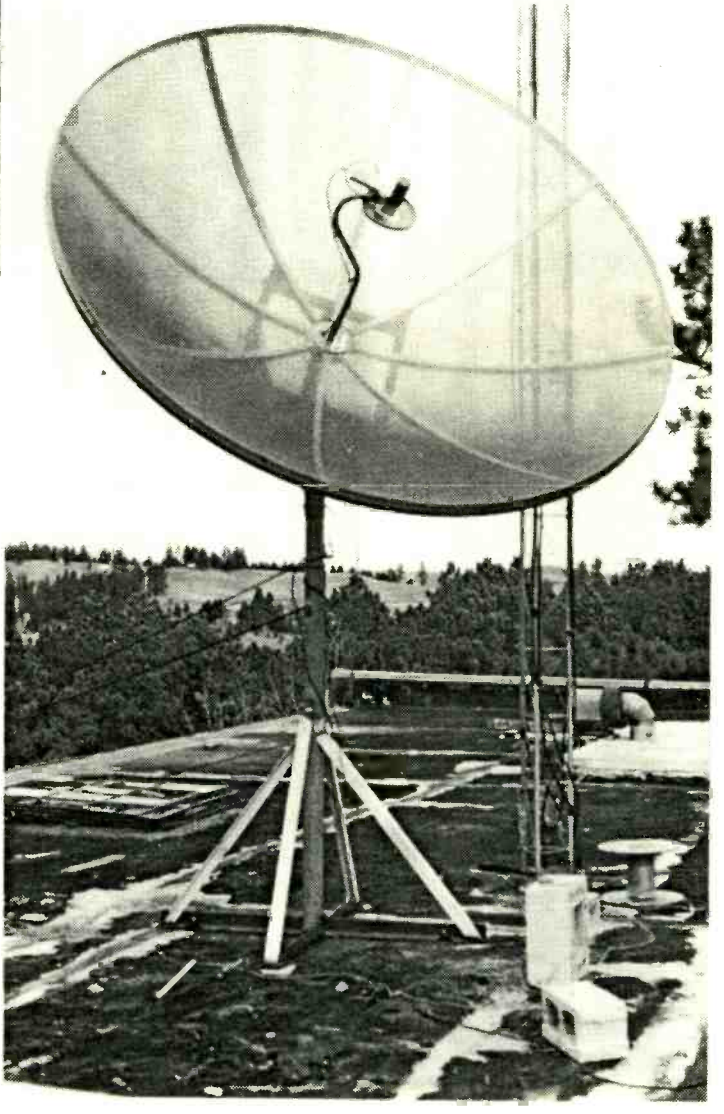
Channel 2 modulator

Sound equalizer used with automatic switching between two different satellite sources with different sound levels

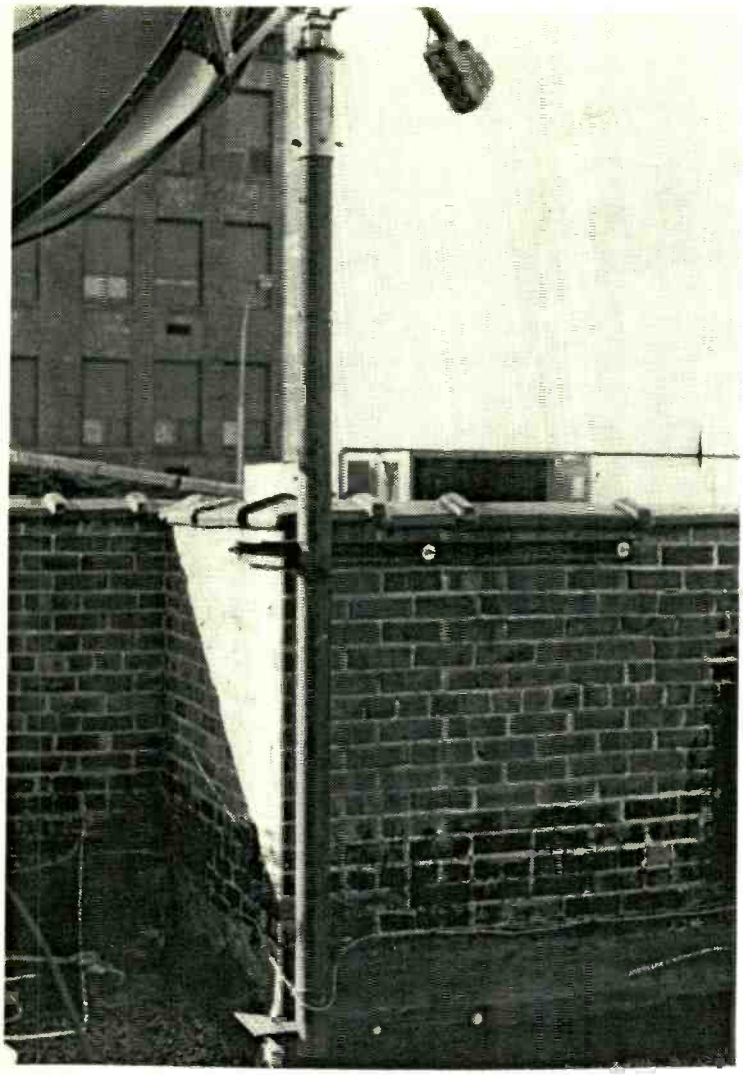
Homemade auto switcher



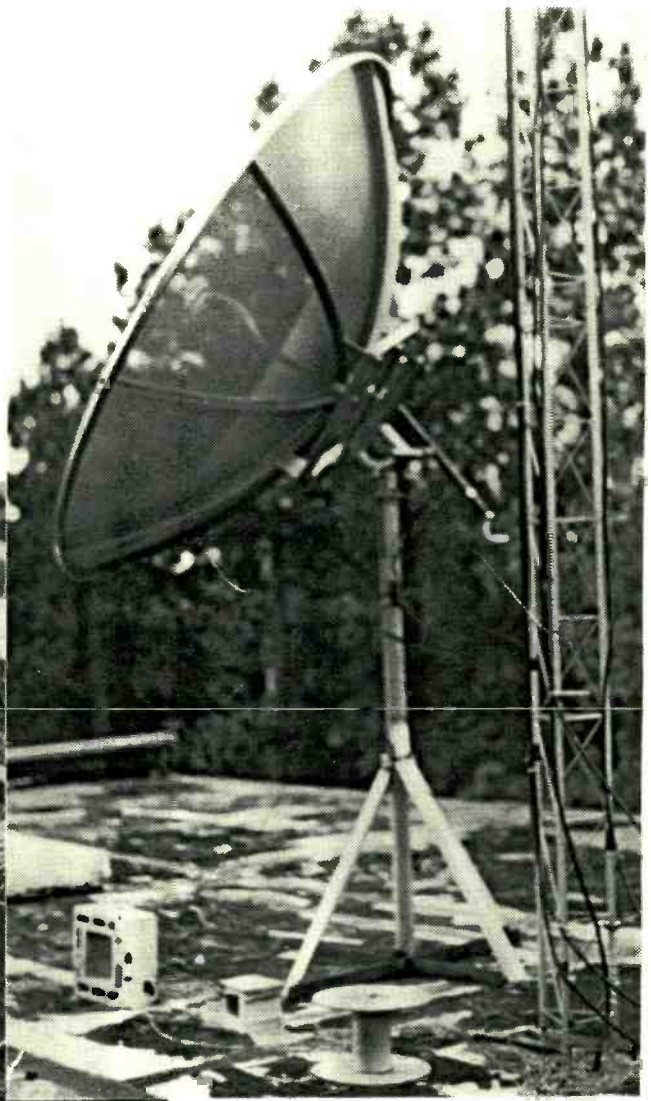
Another view of studio end of channel 23 STL. Signal goes two miles through a considerable number of trees in the path.

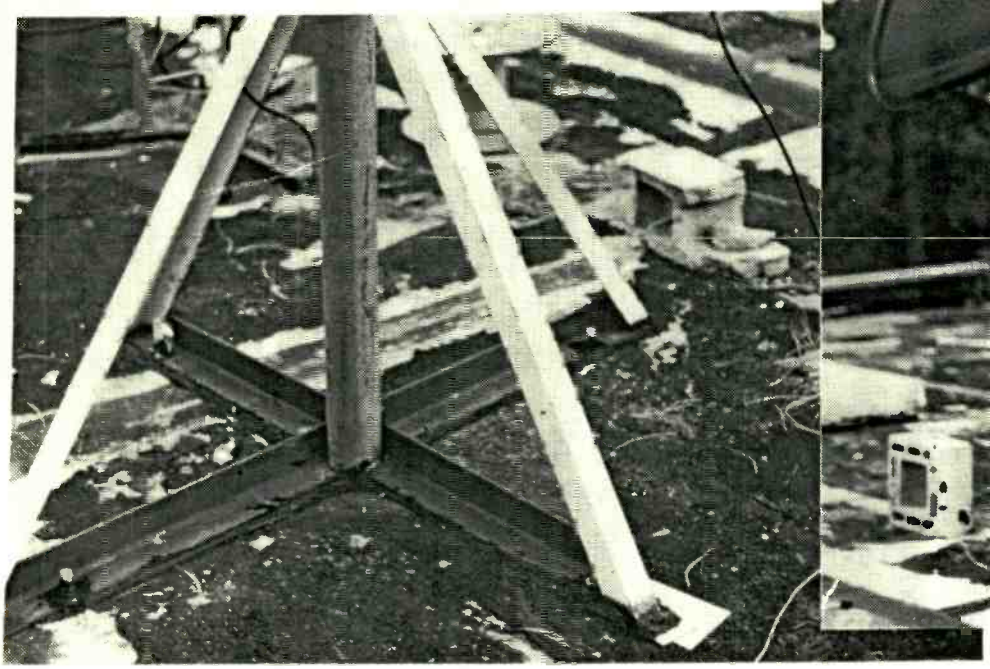


Many LPTV operators are worried about installing a satellite dish on a rooftop. Here is a ten-foot Winegard dish on a rooftop in Rapid City, SD that we installed with 24-inch bolts through the concrete roof.



Shown here is a corner mounting on the roof at Sioux Falls. Bolts through wall have angle iron on other side of wall also. Bottom bolts are in to slugs.





Two more views of the Rapid City roof mount. Lots of sealant was necessary to stop leak through holes. Dish is high to clear pine trees obstructing line of sight.

TV SHOPPING CHANNELS

There are now 23 television shopping channels we have logged in various stages of development. Two have already been on satellite for a period of time and folded. Others are in various stages of experimenting with part and full time distribution, including tape and satellite delivery.

All the ruckus was started by a Florida firm who leased a cable channel several years ago and began experimenting in selling merchandise directly over the air. They got so good at it, they called themselves the Home Shopping Channel, bought satellite time and got hundreds of cable systems to carry their channel by paying 5% on everything sold in their area. Soon they were operating two satellite channels at the same time using one with over-the-air stations in addition to the original one over cable systems. Then they went public and offered their stock at $18. By the end of the first day it was selling at $50. After a few weeks it split and was selling at over $100. This caused a sensation on Wall Street, and every firm that jumped in and announced that they, too, were starting a TV shopping channel found their stock rose dramatically overnight.

Meanwhile, the Home Shopping Channel decided they were selling so much merchandise on full service stations that they could buy the TV stations with what they were paying them. They have now contracted to buy various failing or unprofitable full power stations in several markets and are causing a major turmoil in the industry.

We have looked at numerous shopping channels over satellite, as new ones come on practically every day. We have been carrying what we consider one of the best ones for about 10 days and will soon have some report on what we are netting per hour; they are paying us 8% of all sales.

We picked this one because of several reasons:

1. They will deal with low power. Home Shopping Channel and many others say no to low power at this time.

2. Their merchandise is a good variety and their prices are right.

3. Their method of presentation is not as boring as others.

When you have to watch this all day it gets to be a drag, but most viewers tune in and out. We could probably do much better carrying this shopping channel during prime time, and we do have permission to tape it and play it later, but their 800 operators all go home at 6 p.m., so that doesn't do us any good.

Another problem--when you run a shopping channel for long periods of time you only get in the TV schedules in newspapers once (if at all), whereas if you change programming every hour you keep being listed. Therefore, we are considering changing constantly between traditional programming and three different shopping channels.

COMMERCIAL INCOME WITHOUT SELLING COMMERCIALS

Most of you are aware of P.I. or P.S. (per inquiry or per sale) ads that run on TV, including your neighborhood's full service stations, such as record album offers, etc. Actually, you can get many of these same P.I.s that satellite channels are carrying and run them yourself and get paid for all the local sales.

We are experimenting with three ideas:

1. Run the hottest items (by taping) your shopping channels are featuring as little one- or two-minute clips and insert them in regular programming (such as old movies); you will get your 5% or 8%, etc. Example--a car radio/cassette player being sold by one of our shopping channels for $19; condense their commercial for it down to say one minute or so by editing.

2. Running a video clip (like playing records you can see) and then switching over live to your shopping channel (via satellite); let them sell one item and then play another video clip, and so on.

3. Using traditional P.I.s where you get a big percentage of the sale, such as $6 out of a $10 sale.

Let's say I hire a salesman to sell local commercials at $15 a clip. Two out of the first three salesmen I hire won't work out, so I will have big expense and aggravation before I get that working. I have to pay my salesman in

advance (to keep him eating and working). I have to produce the commercial and that requires a production staff. I run the thing and bill the client (need a bookkeeper) and we have to bill him several times, and finally have to send someone out to collect it. After paying all the help, advancing money up front and often waiting months to get it back, the question is -- Am I better off taking $1 or $2 without the hassle and expense by not going after those local commercials and doing only those that fall in my lap? I would just run P.I.s and shopping channel commercials without all the overhead. By running P.I.s and shopping channels' pitches, do I actually net more? Do I save a lot of risk and hassle? Stay tuned; we will let you know.

AUTOMATIC SWITCHING

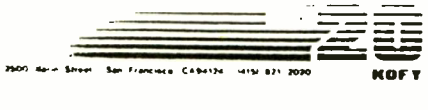
Labor is what will kill off more low power stations than anything else.

About a year ago we ran an article on automatic switching via using the BSR wireless modules and a system to change tapes, switch between satellites, etc. We now have an attachment for both a Commodore and an IBM P.C. (under $50) that you can set up every day and it doesn't matter where in the building the computer is; no connecting wires are needed since the control pulse runs back through the power line. You can take the telephone module home with you and, if something changes, you can reswitch from home. An example is a football game on satellite feed that runs into overtime. If your automatic switcher is switching channels on time and the game isn't over, you are going to have some irate viewers that do not get to find out who wins the game. With the telephone module home with you, when it switches, you can switch right back.

We have a time switching going on every night at 11:30. The problem is it goes to a satellite channel that has nothing on it at 10 p.m. when everyone goes home. So you tune it all in and go home. If you goofed something, you won't know until 11:30 when it switches to that satellite receiver. You can use either satellite controlled (tone) switching or just time on the computer. Or even simpler is a Radio Shack (or the computer) timer that turns on a VCR for say one minute and then rewinds it. If set for every hour, it will run the same commercial (or highlights of tonight's programs, etc.). You can put two one-minute commercials on by loading your VCR cued up on the second one. Thus on the first hour point, it will play the second commercial and then rewind. Thereafter it plays the first commercial over and over every hour. Even when you are manned, you can use this automatic system and your personnel can load it up that way and then go do something else--they do not have to watch the clock.

You can automate a Samsung VHS VCR like this for under $30, and the Radio Shack timer or computer attachment to control it (and other functions too) will cost under $50. See our previous article or request a copy ($5). The phone control unit is under $40. Computer control of switching by satellite is more expensive, and we will cover that in future issues.

The following list of call signs appeared in a Turner Broadcasting ad in **USA Today** listing the stations that carried the Goodwill games. We reproduce it here in case you missed it to give you ideas for your identification trademark that becomes the image of your station.



NOTICE OF SELECTION BY LOTTERY

MUTUALLY EXCLUSIVE CASES INVOLVING LOW POWER TELEVISION AND TELEVISION TRANSLATOR APPLICATIONS

Report No: TS-34 Released: October 6, 1986

Notice is hereby given of the results of the September 29, 1986, public lotteries to determine the award of construction permits for low power television or television translator stations in the mutually exclusive cases listed below. The application listed with each case is the tentative selectee for the construction permit grant. Petitions to deny the selectee must be on file with the Commission not later than 15 days from the release date of this public notice. Pursuant to Section 73.3584(c) of the Commission's Rules, the selectee may file an opposition within 15 days of the filing of the petition.

Absent the filing of petitions to deny and upon determining that the selectees are otherwise qualified, grant of construction permits to the selectees listed below will be made 30 days from the release date of this public notice.

FILE NO.	APPLICANT NAME/CITY OF LICENSE	
L86-758 BPTVL-GZ0308ND	Carter Broadcasting Corporation Marathon, FL/ Channel 3	312 STUART STREET BOSTON MA 02116 REQ:CHAN. 03; ERP .293KW
L86-762 BPTTL-EI0307MT	Kim Mooney/Virginia Beach, VA Channel 61	2735 1/2 PINE STREET BOULDER CO 80302 REQ:CHAN. 61; ERP 25.9KW
L86-765 BPTTL-831108LP	Sandi Barrios/Aberdeen, WA Channel 19	7609 UTAH ST. BROWNSVILLE TX 78520 REQ:CHAN. 19; ERP 1.01KW
L86-775 BPTT-840307IF	Palo Verde Valley TV Club, Inc./Blythe, CA Channel 67	P.O.BOX 874 BLYTHE CA 92226 REQ:CHAN. 67; ERP 5.07KW
L86-780 BPTVL-GN0308WF	Evangelina Garcia Garza/N. Royalton, OH Channel 12	BOX 3206 LA FERIA TX 78559 REQ:CHAN. 12; ERP .138KW
L86-789 BPTTL-HA0308TK	Charles Billings/Raleigh, NC Channel 58	5838 WOODHAVEN CIRCLE FAYETTEVILLE NC 28301 REQ:CHAN. 58; ERP .642KW
L86-799 BPTTL-HC0308WX	Alegria Broadcasting Corp./Crescent City, CA/Channel 44	385 EIGHTH STREET 2ND FL SAN FRANCISCO CA 94103 REQ:CHAN. 44; ERP .366KW
L86-804 BPTTL-820319TZ	First Choice Video/Lufkin, TX Channel 42	P.O. BOX 7147 AMARILLO TX 79109 REQ:CHAN. 42; ERP 19.9KW
L86-819 BPTTL-HO0308WP	Minerva Rodriguez Frias/Ridgecrest, CA Channel 19	RT. 1 BOX 130-A PRIMERA TX 78550 REQ:CHAN. 19; ERP 1.53KW
L86-1351 BPTTL-AJ0305PU	Deanna Hinojosa/Fort Walton, FL Channel 47	P.O. BOX 355 MERCEDES TX 78570 REQ:CHAN. 47; ERP 2.03KW
L86-1352 BPTTL-HB0308QD	Baby Boom Broadcasting Company/ Rochester, NY/Channel 67	1640 FIFTH STREET #203 SANTA MONICA CA 90401 REQ:CHAN. 67; ERP 7.23KW
L86-1353 BPTTL-EI0307VW	Jose Armando Tamez/Douglas, AZ Channel 38	440 MADRID COURT SAN BENITO TX 78586 REQ:CHAN. 38; ERP .104KW

L86-1356 BPTTL-AC0305RD	Eligio Contreras Jr./Nashville, TN Channel 42	1728 RITA DR., N.E. ALBUQUERQUE NM 87110 REQ:CHAN. 42; ERP 13.6KW
L86-1358 BPTTL-HC0308ML	Heidi A. Terrill/Charleston, WV Channel 49	P.O. BOX 1944 BOULDER CO 80306 REQ:CHAN. 49; ERP 12.9KW
L86-1359 BPTTL-GF0308RB	Neighborhood Broadcasting Services/ Jacksonville, FL/Channel 36	900 N.W. EIGHTH AVENUE GAINESVILLE FL 32601 REQ:CHAN. 36; ERP 4.64KW
L86-1360 BPTTL-GC0308XL	Jose Armando Tamez/Bridgehampton/NY Channel 57	440 MADRID COURT SAN BENITO TX 78586 REQ:CHAN. 57; ERP 2.97KW
L86-1361 BPTTL-8303142B	Mountain TV Network, Inc./Denison, IA Channel 41	P.O.BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 41; ERP .502KW
L86-1362 BPTTL-830804JI	Russell Communications/Paris, TX Channel 48	750 RANCHO CIRCLE FULLERTON CA 92635 REQ:CHAN. 48; ERP 11.9KW
L86-1363 BPTTL-EH0307VW	Howard Wapner/Sante Fe, NM Channel 21	41 CONSHOHOCKEN STATE RD BALA-CYNWYD PA 19004 REQ:CHAN. 21; ERP 14.6KW
L86-1364 BPTTL-821025RY	Community Television/Lenox Park, IA Channel 14	P.O. BOX 3878 MARTINSVILLE VA 24115 REQ:CHAN. 14; ERP 8.93KW
L86-1365 BPTTL-EN0307RZ	Lidia Rodriguez/International/Falls, MN Channel 18	501 MADRID COURT SAN BENITO TX 78586 REQ:CHAN. 18; ERP .131KW
L86-1367 BPTVL-810304IK	Powell Broadcasting Company/Naples, FL Channel 02	100 DANIA CIRCLE LEHIGH ACRES FL 33936 REQ:CHAN. 02; ERP .201KW
L86-1368 BPTTL-HT0308MY	Elizabeth E. Terrell/Portland, ME Channel 63	2373 POINT OF PINES DR. BOULDER CO 80302 REQ:CHAN. 63; ERP 22.1KW
L86-1376 BPTTL-820617OT	Blacks Desiring Media, Inc./Massena, NY Channel 42	P.O. BOX 520 LIVINGSTON TN 38570 REQ:CHAN. 42; ERP 5.58KW
L86-1377 BPTTL-8403084C	Russell C. Powell/Williamsburg, VA Channel 39	4404 RIDGE STREET CHEVY CHASE MD 20815 REQ:CHAN. 39; ERP 9.10KW
L86-1378 BPTTL-840308V3	Community Broadcasting Corporation/ Beckley, WV/Channel 68	1150 17TH ST.,NW,#300 WASHINGTON DC 20036 REQ:CHAN. 68; ERP 23.2KW
L86-1379 BPTTL-840307X5	Millard V. Oakley/Panama City, FL Channel 34	P.O. BOX 520 LIVINGSTON TN 38570 REQ:CHAN. 34; ERP 0.67KW
L86-1380 BPTTL-AK0305UD	Mr. Juan Villareal/Manteo, NC Channel 29	139 RESACA BLVD. SAN BENITO TX 78586 REQ:CHAN. 29; ERP 3.1 KW
L86-1381 BPTTL-810316IF	Communications Services Internat'l/ Ochlocknee, Etc., GA/Channel 67	ROUTE 1 OCHLOCKNEE GA 31773 REQ:CHAN. 67; ERP 10.5KW
L86-1382 BPTT-801107ID	Tulsa TV 41/Lawton, OK Channel 69	5807 S. GARNETT TULSA OK 74145 REQ:CHAN. 69; ERP .277KW
L86-1383 BPTTL-810127JN	American Christian TV System, Inc./ Hartford, CT/Channel 47	6350 WEST FREEWAY DRIVE FORT WORTH TX 76150 REQ:CHAN. 47; ERP .736KW
L86-1385 BPTTL-HD0308RR	Jo Ann's Ballon Boutique, Inc./Lincoln, NE Channel 20	3804 SEMINARY RIDGE AUSTIN TX 78745 REQ:CHAN. 20; ERP 2.17KW
L86-1386 BPTTL-810116MY	American Christian TV System Inc./ Phoenix, AZ/Channel 39	6350 WEST FREEWAY DRIVE FORT WORTH TX 76150 REQ:CHAN. 39; ERP 10.4KW

L86-1387 BPTTL-840305X3	Commonwealth Venture Systems, Inc./ Hot Springs, AR/Channel 45	P.O. BOX 549 GREENWOOD MS 38930 REQ:CHAN. 45; ERP 6.45KW
L86-1388 BPTTL-810904QS	Munsch-Westenhaver Company/Pecos, TX Channel 60	11314 JANET LEE DRIVE SAN ANTONIO TX 78230 REQ:CHAN. 60; ERP .053KW
L86-1389 BPTTL-GC0308SM	Minerva Rodriguez Frias/Spencer, IA Channel 65	RT.1 BOX 130-A PRIMERA TX 78550 REQ:CHAN. 65; ERP .192KW
L86-1390 BPTTL-GR0308RS	Cherokee Network/St. George, UT Channel 33	2032 VIA VISALIA PALOS VERDES ESTATES CA 90274 REQ:CHAN. 33; ERP 1.36KW
L86-1391 BPTTL-CA0306QM	Minerva Rodriguez Frias/Vidalia, GA Channel 29	RT. 1, BOX 130-A PRIMERA TX 78550 REQ:CHAN. 29; ERP 1.83KW
L86-1392 BPTTL-830203TY	Twin Lakes Communications, Inc./Albany, KY Channel 24	RT. 4, BOX 540 ALBANY KY 42602 REQ:CHAN. 24; ERP .248KW
L86-1393 BPTTL-830223UT	Mountain TV Network, Inc./Luana, IA Channel 68	BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 68; ERP .33 KW
L86-1394 BPTTL-GH0308XZ	Tel-Radio Communications Properties/ Pascagoula, MS/Channel 46	517 NORTH SEGOE ROAD MADISON WI 53705 REQ:CHAN. 46; ERP .103KW
L86-1395 BPTTL-810217F2	Microband Corporation of America/ Augusta, GA/Channel 65	655 THIRD AVENUE NEW YORK NY 10017 REQ:CHAN. 65; ERP 22.2KW

TO: ALL NAB MEMBERS/BOARD/STATE ASSOCIATIONS

FROM: JIM MAY, NAB GOVERNMENT RELATIONS

DATE: JULY 31, 1997

FINAL BUDGET PACKAGE RESOLVED; BROADCASTERS AVOID BOTH FEES AND AUCTIONS; THANKS TO ALL BROADCASTERS WHO LOBBIED ON THE ISSUE

As Congress works toward its August recess, the balanced budget agreement between the White House and Republican congressional leaders has been reached, and final action will occur on it today.

I am pleased to report that as part of that historic budget agreement, broadcasters will not be required to either pay spectrum fees or see their digital spectrum auctioned off. These were two major threats to our digital transition and to our future of providing free over-the-air service to the American people, and we have successfully fought off both threats.

In addition, we were able to work out flexibility on the 2006 deadline for the transition to digital television. Under the legislation, the FCC will be able to waive that deadline in individual markets if any of the four major network affiliates has not yet completed its digital transition. In addition, if less than 85 percent of viewers cannot receive digital broadcast programming, the Commission can also push back the date when broadcasters must cease their analog transmissions. This was an important provision which will help protect consumer access to free television.

We will see reductions in our ENG (electronic news gathering) spectrum. The FCC will be able to auction a portion of that spectrum, leaving us with less-than-optimum amounts of spectrum for this important service. However, the Commission is directed to try and find other spectrum that ENG could be moved to in order to preserve the service. In addition, the President is able to substitute other bands of spectrum for auction. We are disappointed by the loss of ENG spectrum, and will continue to work with the FCC to ease the impact of this decision.

As for future competing applications for broadcast licenses, the Commission has been given the authority to issue such licenses through auctions. For those applications already at the Commission, applicants will be given a six-month window to settle. During that period, the FCC's normal limits on settlements will be waived. After that, applications will be subject to auctions, bidding only against the remaining applicants on file.

Finally, the agreement allows for limited relief of the FCC's duopoly rules. Broadcasters in markets with a grade A signal that encompasses a city with a population of more than 400,000 will be able to bid on the returned analog spectrum and use it for television service. The lawmakers do not intend for this language to have any bearing on the FCC's current proceedings on duopolies, which involves immediate relief. In addition, the FCC is directed to give a permanent grandfather to LMAs.

On balance, we are very pleased with the final outcome of these negotiations. Keeping spectrum fees and auctions out of play will save our industry billions of dollars that we need in order to pay for the upcoming digital transition.

We thank all broadcasters who weighed in with their House and Senate members on these important issues. I hope all of you will continue your education process with your local lawmakers to make sure they understand our business and why fees and auctions would have a serious impact on our business and their constituents who rely on it. If your lawmaker was involved in the direct negotiations as a budget conferee, please thank him or her for their support.

R & L Media Systems

116 Beaumont Drive Hendersonviile, TN 37075 (615) 826-0792

LPTV Today

July / August 1997

Welcome to another exciting issue of R & L Media Systems LPTV TODAY. I'm your host, Rick Goetz, and for the next few minutes, I'm going to go over with you what I feel are some exciting things going on with Low Power TV. But before we begin, let's discuss future issues of LPTV Today. As you know, I provide this free of charge to LPTV operators because I feel the information needs to get to you. And this is not cheap. It cost me an average of $.50 per copy to print and get it to you. So, in order to continue, I need to hear from you. Please give us call to let us know you want to continue to receive LPTV Today. CALL NOW!!!

R & L Media Systems Inc.

Some of you are getting this letter for the first time. So I guess the best way to start is to tell you a little about R & L Media Systems. R & L Media Systems is one of the few and oldest companies to offer Full Turn-Key start-up for LPTV operators. We can take a station from application using our own computer software and weekly updated FCC databases, through equipment purchasing, giving you a low-cost start-up package that can be expanded later when the station is generating the income to do so, to on-air operation and training. We research the industry like no other company can to provide you with the best bang for your dollar. So, if you are looking for The Best Way To Get Your Station On-The-Air, Call R & L MEDIA SYSTEMS Today!

GREAT DEALS!!

Here are some great deals for this issue. If you do not see an item you want, call us.

HollyAnne EAS Decoder	$1,155.75
HollyAnne RS-232 Interface To Printer	$79.95
A/B Electronic Switcher	$84.33
Epson AP 3250 Printer	$89.00
Burst MCG-2 RS-232 Character Gen.	$431.25
Modified MTA-16 AM/FM Receivers	$79.95
Low-Cost Studio Package including:	$5,777.16
(2) S-VHS Camcorders	
(2) Tripod / Fluid Heads	
(4) Wireless Headsets	
(2) Lavaliere Microphones	
Audio Mixer	
Audio Cassette Deck	
(6) 500 Watt Studio Lights	
(2) 13" Color Monitors	
Digital Effects Production Switcher	
High Resolution Character Generator	

PSI 8 Bay Omnioid UHF Antenna	$3,690.00
PSI 16 Bay Omnioid UHF Antenna	$7,700.00
PSI 24 Bay Omnioid UHF Antenna	$11,400.00
PSI 32 Bay Omnioid UHF Antenna	$15,500.00
PSI 8 Bay Directional UHF Antenna	$6,200.00
PSI 16 Bay Directional UHF Antenna	$12,400.00
PSI 24 Bay Directional UHF Antenna	$18,600.00
PSI 32 Bay Directional UHF Antenna	$24,800.00
Veltek 1 Watt UHF Transmitter	$2,395.00
Veltek 10 Watt UHF Transmitter	$2,560.00
Veltek 20 Watt UHF Transmitter	$4,140.00
Veltek 100 Watt UHF Transmitter	$6,995.00
Veltek 500 Watt UHF Transmitter	$14,995.00
Veltek 1000 Watt UHF Transmitter	$24,995.00
Veltek 10 Watt VHF Transmitter	$2,990.00
Veltek 100 Watt VHF Transmitter	$7,440.00
Adtec DTMF Cue Tone Decoder	$198.00

Community Broadcasting Protection Act of 1997

Recently Bill HR 1539 was drafted by Charles Norwood (R-GA) to establish a permanent status for LPTV stations through an amendment to the Communications Act of 1934. This bill was created because Congress found LPTV stations operating for the good of the community in areas that would otherwise have no local programming. These stations have operated like full-power broadcasters and have provided worthwhile services to their communities while under severe limitations compared to their full-power counterparts.These limitations.

particularly the temporary nature of the license, have kept many LPTV broadcasters from receiving funding, and have blocked their ability to provide quality broadcasting, programming, or improvements. The passage of the Telecommunications Act of 1996 made this worse due to the lack of protection during the conversion to digital television. Within 30 days after the date of enactment of the Community Broadcasting Protection Act of 1997, the FCC shall prescribe regulations to establish a class A license for qualifying low-power television stations. Such stations shall be subject to the same license term and renewal standards as the licenses for full-power television stations, and shall be given primary status as television broadcasters under the FCC's regulations. Upon enactment, the FCC shall send a notice to LPTV stations and, within 30 days after receipt of an application that is acceptable for filing, award such a class A license to any qualifying LPTV station within 90 days after receipt of such notice.

A station is qualified if during the 90 days preceding the date of enactment of the Bill, the station broadcast a minimum of 18 hours per day, broadcasting an average of at least 3 hours per week of programming that was produced within the community of license of such station, and the station was in compliance with the requirements applicable to low-power television stations; or the FCC determines that the public interest, convenience, and necessity would be served by treating the station as a qualifying low-power television station for purposes of this section. No additional licenses for advanced television services will be given to the licensees of the class A television stations, however, a station, at the option of the operator, may elect to convert to digital television, but shall not be required to until the FCC requires the use of digital or other advanced technologies by full-power television stations.

No operator of a class A station shall be required to cease operations, nor shall the license of such a station be bumped or otherwise terminated, for the purposes of implementing any amendments to the table of allotments adopted before the date of enactment of this act to provide additional licenses for advanced television services. The FCC may order a termination only if it would make it impossible to assign an additional license for advanced television services to a full-power station, or it would require the FCC to revoke or rescind a construction permit issued to such full-power station. If the FCC cannot revise the table of allotments to preserve a class A station, the FCC shall revise the table of allotments to preserve the class A station in the same community of license, using the same facilities, by assigning to such station a different frequency or provide the station with a class A license in a community that is adjacent to the station's previous community of license or award a license in another community acceptable to the licensee. Such a licensee shall be preferred in the award of such other station license over any other applicant (other than another licensee of a class A television station that is required to relinquish its existing license).

DTV Basics

What is DTV??? The best source for the answer to this question is the Consumer Electronics Manufacturers Association (CEMA), for they will determine what happens from the consumers side of the street. The generally agreed upon definition of HDTV is approximately twice the vertical and twice the horizontal resolution of today's NTSC TV. Because HDTV also has a wider screen, HDTV pictures contain about five times as much picture information as conventional TV. HDTV usually includes multiple channels of digital surround sound, normally 5.1 independent channels of CD-quality surround sound. Digital TV or DTV in its broadest term includes HDTV, standard definition television (SDTV) and a host of potential data broadcasting applications. SDTV offers essentially the same picture resolution as today's conventional TV, but the picture quality is higher because the digital transmission eliminates snow and ghosts. Since it generally requires less data to generate an SDTV picture, a broadcaster will be able to transmit multiple channels of SDTV within its 6mhz digital channel, although it will depend entirely on the type of program material that is being sent. For the toughest live video, i.e , fast-action sports like basketball, it requires most of the channel to send a single HDTV program. However, for more typical video like game shows, you could usually send one HDTV and one SDTV program concurrently over the channel. For film-based material (all movies and 70-80 percent of prime time programming), you can send two HDTV programs simultaneously. For broadcast signals, today's NTSC television sets will work until 2006 and then low cost converters (under $150) will be available. NTSC televisions sets will continue to work with cable, DSS and VCRs. As for the year 2006 termination date, it is a "target." In Washington, Democrats and Republicans want to balance the federal budget by the year 2004. Auctioning the analog spectrum has become a mantra for politicians in order to recoup revenues as one method to help offset a portion of the budget deficits. In reality few people

elieve that DTV penetration by 2005 will allow the shutting-down of the analog signals by 2006.Even though the budget is a politically explosive issue, broadcasters are committed to making huge investments to protect their existing franchises. The first HDTV sets in 1998 will be limited in quantity and very expensive ($2,000 - $5,000). In 1999 and 2000, as mass production occurs, prices will drop rapidly. As for DTV formats, High-definition most definitely does not only mean interlaced. Indeed, five of the six ATSC HDTV formats are progressive. One of the most exciting things about the ATSC standard is that film-based material, including all movies and 70-80 percent of prime time programming (like ER, etc.) can be shown in 1080 x 1920 progressive scan (at 24 frames per second). All film material will be automatically transmitted using progressive scan formats. It would be inefficient and more difficult to use interlaced for film-based material. Thus from day one, most digital TV programming will be transmitted in progressive scan. DTV is changing the industry rapidly. You could go from broadcasting one to as many as 4,6,or even 8 channels of programming. Or High Definition programs. And this is not "in-the-future" technology. The"baby-dishes" we see today use the same digital compression to place four channels of programming on one satellite transponder. What many saw as the end of LPTV is actually more opportunities. We will be able to offer more programming. And more homes will be putting up outside antennas to get this new programming from the full-power stations, since, at present, cable cannot pass the DTV signal. The future looks exciting for LPTV.

LPTV Network of the Month, FamilyNet

FamilyNet is a 24-hour programming service owned and operated by the North American Mission board of the Southern Baptist Convention's Media Technology Group, dedicated to providing quality family and inspirational programming to broadcast stations. If began operation on April 4, 1988 providing the nation with an attractive combination of family entertainment and inspirational programming. This service has grown rapidly to the point that it now reaches a potential audience of more than 33 million homes. The target audience for FamilyNet is the more than 70 million people who feel the family is the most important part of their lives. They are hard-working, church-going people who are looking for a wholesome alternative to standard television fare. They feel television in general has too much sex and violence, and they want more creative programs featuring traditional family values. FamilyNet meets these needs by supplying quality family entertainment mixed with a variety of inspirational programs, much of which is original. FamilyNet is distributed by satellite. The programming is available seven days per week, 24 hours per day. Broadcast stations, both full and low power, carry FamilyNet during different day parts, with some using the service as their only source of programming. It is a programming service that allows the individual station to select the programs that will supplement its schedule and provide a national look. Minimal hours of "must-carry" are required with option for the station to carry FamilyNet 24 hours per day. FamilyNet has programs for the entire family. You will find a wide variety of quality family programs on FamilyNet.

Call Risa Hubbard at 1-800-8FAMNET or Email at (hubbard@rtvc.org) for more information.

Low-Cost Logging

Many LPTV stations use one of the LPTV networks on satellite. They offer hassle-free programming 24 hours a day and send cue tones down on a second audio channel that allows the operator to insert commercials without an operator sitting there. The problem has been logging when commercials aired. Without an operator sitting there, the only way to log breaks was purchasing one of the expensive commercials inserters used in most cable headend systems. Until now! A friend of mine, Larry Sparks, has come up with a low-cost system that reads a Dual Tone, Multi Frequency (DTMF) sequence and writes it to a 286 or better computer. The time and date are also recorded, thus, you have a record of when your spots air. Suggested List price is $295.00! He is also working on a single VCR interface that will add the ability to read network cue tones and insert commercials using low-cost VHS decks. If you would like more information, give us a call at (615) 826-0792.

*That is it for this month. Remember to call if you want ton continue to receive **LPTV TODAY!** And as always, if you have any questions about LPTV, please feel free to give me a call. It cost you nothing. I look forward to hearing from you.*

LPS SERIES
UHF SLOT ANTENNA

Designed as a high quality, low cost alternative to the LPTV Series. The LPS antenna is supplied in 8-bay modules that can be stacked vertically for increased gain.

FEATURES:

- Omnioid pattern
- Standard 1 kW input
- Standard 7/8" EIA input
- Bay designs available in 8, 16, 24 and 32 bays
- Multi-channel versions available
- Rugged lightweight aluminum construction
- Non-pressurized design
- Standard mounting brackets included
- Power divider and feed cables included
- Patterns on file with Federal Communications Commission to simplify application processing

All specifications subject to change without notification

FOR MORE INFORMATION PLEASE CONTACT THE DISTRIBUTOR LISTED BELOW

DISTRIBUTED BY:

R & L Media Systems
116 Beaumont Drive
Hendersonville, TN 37075
(615) 826-0792
FAX (615) 824-5582

Propagation Systems, Inc.
PO Box 113
719 Pensacola Road
Ebensburg, PA 15931
Phone (814) 472-5540
Fax (814) 472-5676

PSI
ANTENNAS
FOR BROADCASTERS

Making Waves Around the World

PROPAGATION SYSTEMS INC.

ABOUT THE COMPANY

PSI was created by people with broadcast manufacturing experience for broadcasters who need quality antennas at moderate prices.

The company is equipped for the design, development, manufacture and testing of its broadcast antennas.

PSI assures you of top performance by its products. By concentrating its design work and manufacturing practices, the highest standards of performance are achieved.

FULL LINE OF BROADCAST PRODUCTS FOR TV & FM

- **Low power TV, LPTV & LPS**
- **Corner reflectors for FM & TV**
- **Flat panel for FM & TV**
- **Cavity backed panel for FM & TV**
- **Traveling wave antennas for TV**
- **Superturnstile for TV**
- **Multi-station FM & TV antennas**
- **FM antennas for all powers**
- **STL parabolic antennas**
- **Diplexers, filters, and transmission line**

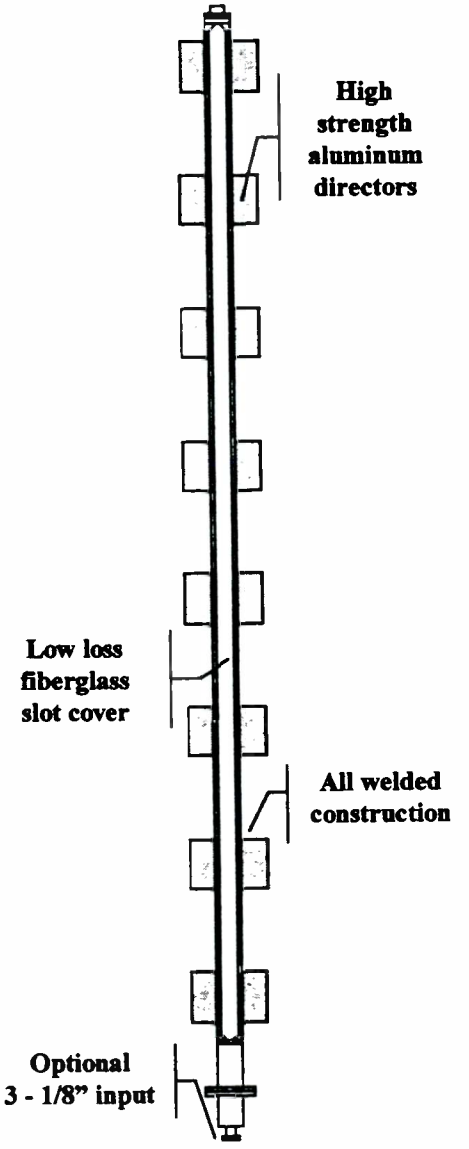
LPTV SERIES UHF SLOT ANTENNA

Designed to handle the new ERP requirements of the low power broadcaster. The LPTV Series utilizes traveling wave technology for optimum performance.

FEATURES:

- Available in over 25 standard patterns
- Input powers to 22 kW
- Standard end fed 1-5/8" EIA
- Available from 4 to 36 - bay designs
- Beam tilt and null fill standard
- Circular polarized available
- 1.10 maximum VSWR over channel
- Lightweight aluminum construction
- Non-pressurized design
- Standard mounting brackets included
- Optional ice shield available
- Patterns on file with Federal Communications Commission to simplify application processing

All specifications subject to change without notification



LPTV SERIES

Sample

CBA Factletters **April 6, 1997**

Sherwin Grossman, Pres
(305)592-4141/592-3808

Mike Sullivan Exec. Dir
320-656-5942/255-5276

Summarizing the differences between earlier proposals and the April 3 DTV Report and Order, Chairman Hundt said, " We also went from doing essentially nothing for low power television and translators to adopting a number of creative measures to minimize the impact of digital television on those services. Now that the DTV allotment table is done, it is time for the Commission to **explore ways to find a permanent home for the low power service."**

Hundt to the Congress April 1. "I agree with the fifty-one Senators who have urged us to do all we can to minimize the impact of digital television on low-power stations. I believe we can and should explore ways to give low power stations primary status." (It's 60+)

Commissioner Ness: "We are looking for any additional methods which we could employ to enable even more LPTV stations to continue broadcasting. Low power offers a valuable service--providing communities with news and information tailored to their needs. I want to enable as many LPTV stations as possible to prosper in the digital age."

We know the "devil is in the details." We also know DTV Allotment Tables speak louder than policy statements. While it'll take a week to sort out the impact, we wanted to share the above statements with you. While we don't have the full details, we believe some of the creative measures Chrm. Hundt referred to are (i) power increases up to 150K watts ERP, (ii) many tabco waivers, (iii) LPs official part of Frequency Cooridinating Committees,i.e., a mechanism to solve local frequency problems.

Many of you went the extra mile to help CBA. We're so greatful.

Footnote: We still don't have the ability to fund a serious organizational effort. A few shouldn't have to carry the many. And staff shouldn't have to go without salary. Call Sherwin or Mike for what you will do to help solve this serious problem.

[illegible]

307-

345

July '96 Issue 19

R & L LPTV News

A Publication Of R & L Media Systems

Super Sale !!
TTC XL-1000 MU 1000 Watt UHF Transmitter $24,995.00

That's right! New, 1000 Watt UHF tube transmitters for $24,995.00. These are the backbone of the LPTV industry. There are hundreds of these transmitters all around the world giving their owners hours of trouble free broadcasting.

These are the same transmitters that sold for $32,995.00 just three years ago, yet today you can get them for the unheard of price of $24,995.00.

Add to this great price the TTC 2 year warranty and you have a unit that can't be beat. To find out more, give us a call at (615) 826-0792.

Introduction

Welcome to the exciting world of Low Power Broadcasting. We have a lot of ground to cover in this issue including some new forms of Low Power Broadcasting. If this is your first issue, welcome. My name is Rick Goetz and I am president of R & L Media Systems. I have been involved in broadcasting for over 27 years cutting my teeth on the old RCA black and white cameras. I was Director of Engineering for Country Music Television in it's early years and Chief Engineer for two full power stations. I have been involved with Low Power Television since 1979, when, like you, I saw the potential for the industry. I owned W11BZ in Hendersonville, TN and operated it for 2 years. When someone offered me double what I had in it, I sold it. I have been consulting for Low Power Broadcasting for the last 13 years working with well over 400 stations doing everything from applications, to turn-key installation and training. I am married to a beautiful wife and have a daughter who has me wrapped around her finger.

Enough about me. Let's talk about Low Power Broadcasting. Whether your interest in Low Power Broadcasting is wireless cable, to promote your existing business, share your religious beliefs with your neighbors. create your own community shopping channel, broadcast a video classified channel or see Low Power Broadcasting as the ULTIMATE HOBBY, you are invited to learn as much as you can from us. Within our newsletters you will find helpful tips on programming, great prices on equipment, knowledge on what equipment to purchase and lots of ways to save money. So let's get started.

Beware !!

Too Good to Be True!

Before you buy any transmitter, check to see if it is type accepted by the FCC. There are a lot of people today who are trying to sell transmitter that are not FCC type accepted. With the rush of multi-channel systems, there are people trying to take advantage of the unsuspecting public by offering systems that are just plain JUNK! They try to cut corners by trying to combine several low level transmitters into a common amplifier or drive the amplifier modules harder in order to cut down on the number and cost. The problem with this is it cuts down on the quality to the point that the picture is unmatchable. And when you scramble the signal, the picture quality is so poor, you are unable to descramble it.

If you are looking for the least expensive way to get your station or stations on the air, then fax us a copy of you CP to (615) 826-0792. We can design a combination of antenna and transmitter that will fit both your needs and your budget. To one can give you a better deal than R & L Media Systems. Unless, you really do want JUNK!

When To Build

An Applicant & His CP Are Soon Parted !

If you are the holder of a Construction Permit, then the best time to build is NOW ! Most people do not realize how fast the time goes by before their Construction Permit expires. They get toward the end, then have to rush to try to get it on the air. Since you cannot rush the manufactures of transmitters and antennas and have to wait 60 days or more for delivery, so have to pay expensive overnight shipping charges . Each transmitter and antenna is custom built for each station. It can take 60 days or more to get a transmitter and antenna on site, then another two weeks to get it installed. And if there is bad weather, more delay time.

It simply makes no sense to wait. The price of most equipment increases every 90 days. Add to this the lost revenue by not being on the air and you can begin to see the picture. Even in a small market, if you were only going to make $4,000.00 per month profit, you would loose $48,000.00 by waiting twelve months. Like time, there is no way to get it back.

So what do you do? You fax us a copy of your CP at (615) 824-5582, then call us at (615) 826-0792. We can work through most problems and design packages that can fill most peoples needs. You say your original package would cost you $100,000.00 to build. Why not go on the air with a bare bones package that gets you on the air, allows me to shoot commercials and basic local programs, all with a professional quality picture at half the cost.

"That's great, but what if I don't have $50,000.00" Then we have to do a little more modifying of your engineering and coverage. We have 1,000 Watt ERP UHF packages starting at under $19,000.00, which you will see later. Once you are on an established, then you can upgrade the station or sell it.

Which brings up another good point. When you sell your station, it's worth is based on the stations income, not the equipment. A station is normally worth 2 - 3 times it's yearly gross income. It doesn't matter whether you spent $20,000.00 or $100,000.00 to build it, it is worth the same.

To summarize, if there is one thought I would like to give you, it is to get on the air ASAP and do it within a budget you can afford. Once the station in on the air, then you can decide if you need the fancy bells and whistles. But remember, those fancy bells and whistles are going to be money that is taken out of your pocket. In most cases, they add nothing to the stations value. BE WISE AND ECONOMIZE !!!

Low-Cost Satellite Feeds

So You Want To Spread The Word !!!

If you are one on the many thousands of people who feel television ministries are a great way to serve shut-in's and people who do not do to church, yet you do not need to produce local programs, then read on. Low Power VHF stations are perfect to fill your needs.

For this type of system, all you need are a good quality satellite system, a station IDer, transmitter, line, and antenna. Price wise, you are looking at $8,790.00, excluding labor, for a 10 Watt VHF package, a price any youth ministry could raise in a month. And with all of the choices in free Christian programming, anywhere from music video's for the youth to programs for the elderly, you could reach the people in your community. To find out more, give us a call.

FM Translators

Low Power FM ??

Not yet, but there is still a way to make money with FM without spending a million dollars to buy a station. They are called FM translators. These are mini FM transmitters that pick up a station, change the frequency, increase the power up to as much as 250 watts and rebroadcast it.

"Great, but how do I make money?" Section 74.1231 of the FCC rules and regulations allows for one locally generated :30 ad covering "financial support". That comes to 168 spots per week. And there is no limit to how many stations you can own.

Let's say we go to a near by mountain top outside a major market, pick 5 stations, and put in our translators. With 840 spots a week, we are going to sell spots for $3.00. That comes to $2,520.00 per week. Even using our 80% figure, that comes to $2,016.00 per week or $104,832.00 per year. The cost to build one of these stations is roughly $5,000.00, so, for a $25,000.00 investment, you get back $104,000.00 your first year. And think if you build 5, 10, 100 sets of these FM stations. To find out more, give us a call at (615) 826-0792.

FCC Applications

Application Preparation

The question we here most often is "What Do You Charge For Preparing An FCC Application?"

A lot of that depends on the time of year and which form we are filing out. For Low Power TV, we use the following:

Before LPTV Window	$595.00

During LPTV Window	$795.00
Week of LPTV Window	$995.00

FM Translators are more complicated but do not deal with a window and are currently accepted all year long.

FM Translators	$795.00

For Full Service TV and FM, we charge a flat fee:

Full Service TV & FM	$995.00

Micro Power FM

Talking Houses ?

You are driving down the road looking for a house to buy. You see one with an information box, but when you get out and open the box, you find the box empty. You decide the house is not for you. The next house has a sign that says "Tune to 104.5 FM". You tune in your radio to hear the Realtor telling about the wonders of this house. It's perfect for you and you call on your soon to be new home.

A page from the future? Not really. There are Realtors all over the US using a section of FCC rules Part 15 that allows for Micro Power FM transmitters, 100 milliwatts or less broadcasting in a 500' circle. Why not be a part of it! There are two options here. You can either sell them the transmitter and make a profit right off the bat or rent it to them and even offer to produce the tape. All you need is a Micro Power FM Transmitter, an audio cassette player and an endless loop audio cassette. That's it. The package can cost as little as $230.00. Let's say you charge a customer $20.00 per week for the service and rent it out 80% of the year. That's $602.00 profit your 1st year. 100 units, that's $60,200.00. And you don't have o hassle with the FCC. Think of other places you might sell them. Put them at stop lights and advertise several businesses. Restaurants could tell their daily menu, hardware store could tell their specials, hotels could advertise weekend getaways, car dealerships could advertise what deals on cars, churches could broadcast their services to people in the parking lot or set them up in campsites for travelers. It can even be a low cost way to distribute the service throughout the church to the nurseries and classrooms. All you need s a radio to pick it up. Any business could use it to get more business To find out more, give us a call at (615) 826-0792.

Wireless Cable

Cut The Cable ??

Years ago, there were several LPTV station who made their income by offering a subscription movie channel. They would scramble the signal, then offer the subscriber a descrambler box for a monthly fee of $19.95. The problem at that time was the descrambler boxes, costing around $200.00 each. Today, there is a new breed of LPTV operators looking toward offering scrambled programming to their viewers. They are offering multiple LPTV channels combined with MMDS and off-air channels, in essence, creating a wireless cable system. The problem, however, is still the expensive descrambler boxes.

There has been a low-cost scrabbling system on the market for years that allows you to scramble a channel for roughly $330.00 per channel. I'm sure you have seen the system used by cable companies. It puts a pulse in the middle of the video signal making it totally unmatchable. You then insert a low-cost trap in line to trap out the pulse and you get back a clear picture.

The problem in using this system is the cost of the trap. At VHF frequencies, the cost is only $7.45 in quantities. At UHF, it can be several hundred dollars due to the high frequency. So what do you do?

You contact R & L Media Systems. We now have a converter box that will convert UHF and VHF channel down to channel 3 and the cost of the box in quantities is $59.95. You then buy low-cost channel 3 traps for $7.45 and offer your customers and all or nothing.

But suppose you only have two channels? Then offer a movie service that can be mixed with off-the-air channels. For instance, here in Nashville there are 16 over the air channels. Since we use an outside antenna to pick up our signals, it should also be able to pick up these channels. We can get HBO and Showtime in a package that cost us $5.00 per home. If we were to charge the unheard of low price of $9.95 for 18 channels, two of which are movie channels, don't you think we could get customers? YOU BETTER BELIEVE IT !!!!

Let's say we get 3,000 subscribers. At $4.95 per house profit, that comes to $14,850.00 per month or $178,200.00 per year. Now let's look at cost.

Our two channels are going to cost us $29,893.00 for the headend equipment, excluding labor. This added to our first year overhead would come to $54,373.00 if we run with a minimum staff, giving us a profit of $123,827.00. Interested? Give us a call at (615) 826-0792 and let us put together a package for you.

Low-Cost Low Power

How Low Can You Go!

If you are looking for a low-cost, get you on the air package, this is it. This package allows you to:

Receiver Satellite Programming

Shoot Commercials & Basic TV Programs

Edit and Insert Graphics

Automatically Insert Commercials

Monitor for EBS

Transmit 1,000 Watts ERP.

Best of all is the price, just $18,995.00 That includes everything you need, excluding labor, which either you can do yourself or R & L Media Systems can supply. It's your choice.

. If you want a VHF version of the same, deduct $5,000.00 This package will get you on the air selling advertising far below what anyone else could offer. To find out more, give us a call.

Customers

Station We Have Recently Worked On!

KMNZ	Oklahoma City, OK
WELU	Aguadilla, PR
TV 22 & 26	Atlanta, GA
W15AG	Live Oak, FL
W07CP	Columbus, GA
WATC	Atlanta, GA
WGGS	Greenville, SC
WQHB	Sumter, SC
W22AH	Columbus, GA
W57BS	Alton, IL
K11TT	Baton Rouge, LA
K39EL	Laredo, TX
K55FX	Corpus Christi, TX
W48BV	Summerville, SC
K13VE	Baton Rouge, LA
K20DP	El Dorado, AR
W14BX	Haines City, FL
K17DX	Natchitoches, LA
K55HB	Natchitoches, LA
W40AK	Muskegon, MI
KQEG	La Cresent, MN
W30AS	Weaverville, NC
W55BQ	Centerville, OH
K63UF	Tulsa, OK

Letters Of Recommendation

What Our Customers Think !!

"Rick has worked on several projects for me. During that time he has always been very helpful in recommending the proper equipment to get the job done. He has always been straight forward and has given me the kind of service I expect at a very affordable price."

Robert R. D'Andrea-President

Christian Television Network

"He (Rick) enjoys working with people to try to solve their problems. He also enjoys contributing new ideas and finding new markets for Low Power TV."

John Kompas

K/B Data

R & L Media Systems
106 Northlake Drive
Hendersonville, TN 37075
(615) 826-0792
(615) 824-5582 (FAX)
Rick Goetz
President

Lo-Power Community TV

August

1991

GOOD NEWS

BAD NEWS

NOTICE OF SELECTION BY LOTTERY

MUTUALLY EXCLUSIVE CASES INVOLVING LOW POWER TELEVISION AND TELEVISION TRANSLATOR APPLICATIONS

Report No: TS-67 Released: June 14, 1991

Notice is hereby given of the results of the June 12, 1991, public lotteries to determine the award of construction permits for low power television or television translator stations in the mutually exclusive cases listed below. The application listed with each case is the tentative selectee for the construction permit grant. Petitions to deny the selectee must be on file with the Commission not later than 15 days from the release date of this public notice. Pursuant to Section 73.3584(c) of the Commission's Rules, the selectee may file an opposition within 15 days of the filing of the petition.

Absent the filing of petitions to deny and upon determining that the selectees are otherwise qualified, grant of construction permits to the selectees listed below will be made upon completion of processing.

FILE NO.	APPLICANT NAME/CITY OF LICENSE	NUMBER BLOCK	SELECTION
L91-2517 BPTTL-831214LI	The Little TV Station Pocatello, ID/Channel 15	THE LITTLE TV STATION 1928 E. LAGUNA TEMPE AZ 85282	551
L91-2518 BPTTL-831214SP	Bob Jacobucci/Twin Falls, ID Channel 23	BOB JACOBUCCI 5442 S. 48TH ST. PHOENIX AZ 85040	632
L91-2519 BPTTL-HC0308XR	Alegria Broadcasting Corporation Kailua, HI/Channel 53	ALEGRIA BROADCASTING CORPORATION 385 EIGHTH ST.-2ND FLOOR SAN FRANCISCO CA 94103	657
L91-2520 BPTTL-HC0308XN	Alegria Broadcasting Corporation Kailua, HI/Channel 47	ALEGRIA BROADCASTING CORP. 385 EIGHT ST.-2ND FLOOR SAN FRANCISCO CA 94103	927
L91-2521 BPTTL-GU0308TQ	Minerva Rodriguez Frias Bozeman, MT/Channel 23	MINERVA RODRIGUEZ FRIAS C/O NHBA P.O.BOX 1975 SAN BENITO TX 78586	801
L91-2522 BPTTL-AK0305PW	Quanta Communications Aberdeen, SD/Channel 39	QUANTA COMMUNICATIONS P.O. BOX 35206 TUCSON AZ 85740	9058
L91-2523 BPTTL-820824TB	Pepsi-Cola Bottling Co. of Alto Pearl City, HI/Channel 62	PEPSI-COLA BOTTLING CO.OF ALTON,INC. 2523 BROADWAY AVENUE ALTON IL 62002	041
L91-2524 BPTTL-840305L6	K. Sandoval Burke Grand Forks, ND/Channel 43	K. SANDOVAL BURKE P.O. BOX 2295 BOULDER CO 80306	2022
L91-2527 BPTTL-890307PU	Henry J. McGinnis/Mesquite, TX Channel 60	HENRY J. MCGINNIS 100 COVELO FORT WORTH TX 76111	011
L91-2529 BPTTL-820902SU	Owen Broadcasting Enterprises Colville, WA/Channel 46	OWEN BROADCASTING ENTERPRISES P.O. BOX 742 KNOXVILLE TN 37901	086

-FCC-

"Good News, Bad News"

This issue we will recap what's happening that affects low power, and there is good news and bad news.

For months I have been following what is known as "compression". Compression is good for low power licensees, and it is also bad (mostly bad). Compression is a digital process that changes TV information to digital and supposedly squeezes up to 5 digitized channels into the space normally used to carry one TV channel. Several firms seem to have this perfected and the press treats it as an accomplished fact, though I am not so sure, personally.

Anyway, we will assume it is true and since they all seem to treat it that way, here is what this means to LPTV in the future:

5 times as many channels on satellite than there are now.

A. **GOOD** - More sources of programming for LPTV stations make it cheaper to run your own network. Some firms may do their own network and want to buy up LPTV's as a way of getting local distribution. Thus, this may help the market for LPTV station.

B. **BAD** - 5 times as many programs available to TV cable systems and satellite receiver owners. Your LPTV channel becomes insignificant.

C. **GOOD** - You can carry 5 channels compressed also. If you had 3 LPTV's in a market, you could become a 15 channel wireless cable system.

D. **BAD** - If you are competing with the local cable system that was 40 channels, now they are a 200 channel system.

E. **GOOD** - If you are operating as a translator, now you could carry 5 channels: all 3 networks, Fox, and an educational where you used to have one channel.

F. **BAD** - DBS. Direct Broadcast Satellite and everyone is going to be offering more channels too, so what you do may be totally insignificant.

CONCLUSION: LPTV was to take advantage of the shortage of channels and offer people more selection. However, with compression, if every channel on the air (or on cable) switches to 5 channels by going digital, then there is a channel surplus. And your "scarce" LPTV channel becomes almost worthless.

Next Development

is computer VCR connections and programs that now allow you to inexpensively call up exact portions of video tapes, and customers can do it by phone. This allows anyone to inexpensively offer "interactive services" such as *Video Jukebox.*

GOOD NEWS - You can now do for a few thousand what *Jukebox* spent over $100,000 to automate. Every day it gets easier and less expensive to develop an interactive system. One cable programmer spent $15 for a program that allows the telephone caller to "control" the camera. (Not really a camera, it's all on disk.) Dial 2, the view goes right; dial 3, it goes left; dial 4, it goes up; 5 down, etc. All of this being called up from a video disk. This is now easy to do, but you have to figure out something viewers willl pay for to control with a 900 number.

BAD NEWS - A Federal judge has just ruled that the baby Bell phone company can now go into these very businesses you could maybe have developed. So now you have a formidable competitor even before you ever get off the ground with anything interactive - information, entertainment, etc.

Information and or entertainment on demand may well be the income answer for keeping LPTVs on the air. Data and audio services may also be a sleeper. Almost forgotten is the fact that LPTV channels can carry "sub carrier" audio and data channels without affecting the main carrier. We have talked to several manufacturers over the years about sub carrier equipment for LPTV, but to my knowledge no one is currently doing it. Sub carrier income has saved many an FM radio station from going off the air; one example is the background music service for stores etc. carried on an FM station's sub carrier. Several years ago a farm market information ticker service was talking to low powers about carrying their stock ticker tape information for grain elevators, farmers, etc., but apparently went entirely with FM stations, there not being enough LPTV's to bother with. They were discussing paying $500 per month to carry their information via sub carrier.

TIMING COULD BE THE KEY and GOOD NEWS for LPTV

It appears to me that the problem with compression is that it will likely be a while before they have home de-compression devices at a reasonable cost.

Therefore, assuming that is correct, here is a scenario:

Let's say a compression device is $30,000 to $100,000 or whatever to put four channels on one satellite channel. It will not really be significantly useable for consumers until decompression costs under $500.

Therefore, let's say decompression costs for the next three to four years $5,000. This four channel compression would allow four satellite programmers to divide the cost of a satellite transponder. At one-fourth the usual cost, many become feasible. But - no home satellite people would really be able to watch it. Cable systems are already over full, and four or five channel decompression is not yet feasible for cable consumers, so how do these new networks get viewers?

The only choice left is LPTV or independant full-powers. This could put great value on LPTV as an "outlet" for these new networks that will now be economically feasible because of only one-fourth the regular satellite time costs. At least, this will be true during whatever period it takes to get $5,000 decompression equipment down to under $500.

It looks like the commission has about finished initial processing of the last window filings and the first grant lists may be out about mid-August. A thirty-day wait is standard as you know for protests etc., so I guess we won't really expect any substantial granting of permits until October.

Possibility of must carry for LPTV's that generate a certain percentage of local programs. Seems to be a very slight chance of it happening since LPTV has no political muscle whatsoever and the big boys don't want any more competition from LPTV. Loss of must carry is essentially what has almost killed off LPTV.

Lo Power Community TV
Sample copies are $5. Subscriptions $50 per 12.
Intended to supply needed information on low power television at reasonable cost.

Editor and Publisher: Harlan L. Jacobsen.
Send address changes to 7432 E. Diamond, Scottsdale, AZ 85257: phone (602) 945-6746

Production made easy (and affordable) - Camcorders, Digital Switchers, and the Video Toaster

There are so many developments technically making it possible to turn out terrific-looking local productions that we find it hard not to be tempted to get into more of it.

If you are doing football this fall, you need to know about zoom. Sharp has a physical 12x zoom camcorder. Normal has been 6x in camcorders, but many new models are available with 8x.

Now you need to know about digital zoom. It takes the picture and converts it into digital, allowing you to enlarge (zoom) digitally up to 100x with the new Hitachi camcorder, for example. You can get just one player's face clearly out on a football field. Once a camera processes things digitally, there is no end to what you can do. We have a SVHS that remembers the last picture and does a wipe to the new scene.

You can use camcorders you know as traditional cameras. They come with a power supply so you can plug them into 110 and just use video out without running the camcorder. Then when you want to use them as a camcorder, you just unplug them and away you go.

It gets easier and easier to do local news. For example, a repeating half hour of local news mixed with a half hour of national news satellite feed, both running continually with the local half hour repeating unless something big happens.

The idea of being able to tune in to news (including local) day or night anytime should get more people to tune in your channel than any other format.

The Video Toaster, as you know, is big stuff in the media news for TV production. We have one, and you need to know some things not everyone tells you. You spend about 1,400 for the Toaster, but you need a total of about 6 grand worth of additional equipment to make it work to full advantage.

NEWTEK, the manufacturer in Topeka Kansas, has supposedly come out with a self-built computer for the Toaster so that you now can buy it all from them, but we have seen no evolutions of that combination yet.

We must say that the Video Toaster is absolutely terrific and if you are just starting, buy a Toaster and an Amiga 2000 computer (necessary) and forget everything else.

What you need to know is that to switch between sources you need to have them "genlocked" together. Normally this requires a TBC (time base corrector) for the second, third and fourth video input. Time base correctors have been $2,000 and up, but now there is one available as a card that plugs into the Amiga for $1,000.

We have tried some ways of getting around the time base corrector. Some Panasonic VCRs have a half-assed TBC built in. These TBCs are not good enough and will not work (an experiment that cost us $1,100 for a VCR).

We really like the little Panasonic switcher WJAE5 (may be newer versions out by now) which is a digital video switcher with audio. It does all kinds of fancy switching, and in combination with the Toaster makes you look like CBS. The switcher sells for about $1,200. It genlocks two channels together. So what you do is you always have to lock the Toaster to something and this switcher. So we always lock up to one camera (most stable). You cannot use a VCR as your main channel to lock up to because they are not stable enough. When you lock up the switcher and the Toaster both to the camera and run the VCR through as the second channel in the switcher, then the VCR output is locked up to the camera (same synchronization). You run the output from the switcher to the second video input for the Toaster, and you have time base corrected input and can switch between the camera and the VCR on the Toaster, which lets you add the Toaster's Chroma Effects and Character Generator to your camera or VCR input. If you want a third channel you need another switcher (or a conventional TBC). We use our Numark digital switcher as the third input. We thereby can lock up a camera and two VCRs with no additional time base corrector.

You can lock up to your satellite network if it is a good clean feed instead of the camera; or you can use a camera, a satellite feed, and a VCR.

Interactive TV and the Video Jukebox

Interactive TV still holds great promise for LPTV, and we are following that as well as experimenting. As you know, we tried an experiment with music videos, doing it manually. As it turns out, the videos that get the most requests on programs like the *Video Jukebox* network are those by certain "Rap" artists who don't get much play on *MTV*. Therefore, *Video Jukebox* and similar programs get the best response when they play in urban areas with a large demand for this style of music. Fans of Black-oriented music (rap, soul, and r&b) generate the most income for video request programs, and in most major markets *Video Jukebox* actually pulls nearly as many viewers as *MTV*, but tends not to do well in small Midwestern towns.

As you know, we tried Video Jukebox in Boise, Reno, and Topeka. Boise was a failure and the equipment was moved to Spokane. Reno and Topeka both do between two and three thousand a month. Spokane does twelve to thirteen thousand monthly. So the only one we get a dime out of is Spokane, 50% of everything over $6,000. There is a large air base in Spokane which may contribute to the number of young adults in the area who call the Jukebox. Other than that, we have no explanation as to why Spokane does better.

There have been some changes at *Video Jukebox* and we seem to be having some problems getting accountings, etc. we never had before. Whether that is a bad sign or not I am not sure.

Video Jukebox draws other viewers in addition to fans of Black-oriented music, but rap and r&b seem to be the backbone. They do run all types of new acts, etc. but the rule stands that more people will *pay* to see the videos they *can't* see anywhere else.

Video Jukebox are now running a lot of regular ads for 900 number call-ins other than music. This includes some of their experiments with running jobs. We still don't know if we are sharing in revenue on those ads or only on the call-ins for music plays.

Trinity continues to ad LPTV stations and now can be safely considered the largest broadcaster-owned station coverage in the world.

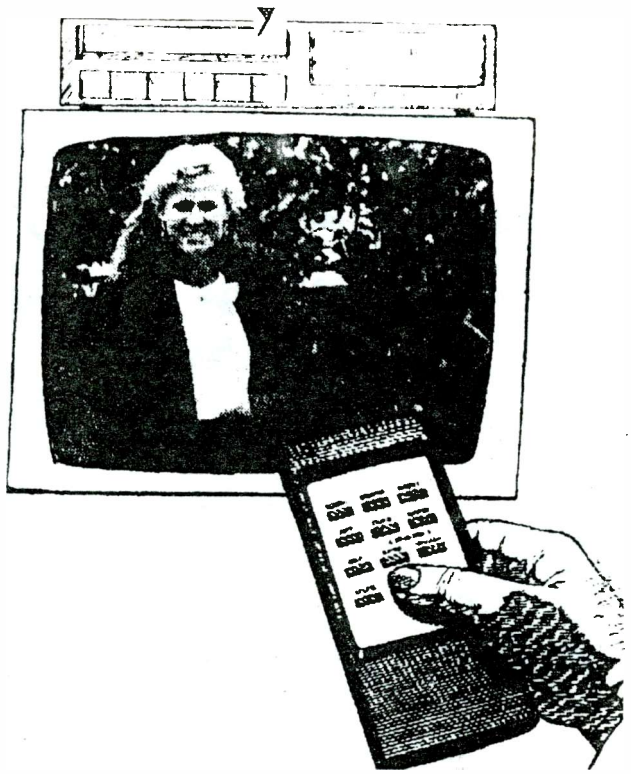
There are several independant LPTV operators succeeding with a religious station/local production combination.

We currently have a 976 and a 900 number as well as 800 numbers and we will do more on that and the interactive trend in our next issue.

NEC has a new VCR/computer combination that can edit, find exact frame numbers, and do all sorts of things including interactive programs (even controlled by phone). It will find material to the exact frame on video tape. One dealer who has it in stock in Minneapolis can be reached for more information at 1-800-862-2339.

On the following page is our experiment scheduled for September 7 in Phoenix. We are editing 300 still frames (5 frames per picture) with photos and text to be broadcast in a one-minute "burst". Viewers will play it back on their VCRs the next day single-frame.

TELEVISION PUBLISHING'S NEW *PAGE BURST*



300 PAGES OF STILL FULL COLOR PHOTOS AND PERSONAL AD TEXT BROADCAST OVER TV IN A ONE MINUTE BURST.

Set your VCR to record 2 A. M. early Sunday morning for this weekly one minute "BURST" broadcast. Station and channel to be announced. Play these personals back next day with your VCR pause, one page at a time. Read and view. Write down the code numbers of those you wish to contact and use our 900 number to leave them information about yourself and a message and number for them to contact you. TELEVISION PAGEBURST STARTS IN SEPTEMBER and you can have your personal included free with VOICE PERSONALS. Good color photos helpful. A large, clear image gives the best results.

Mark the Pageburst Box[ ]in the ad form stating you are including a photo or ask to include your personal without a photo in Pageburst. Expect large numbers of responses from this new experiment. Be a pioneer. Participate. It's *FREE*!

TELEVISION PERSONALS

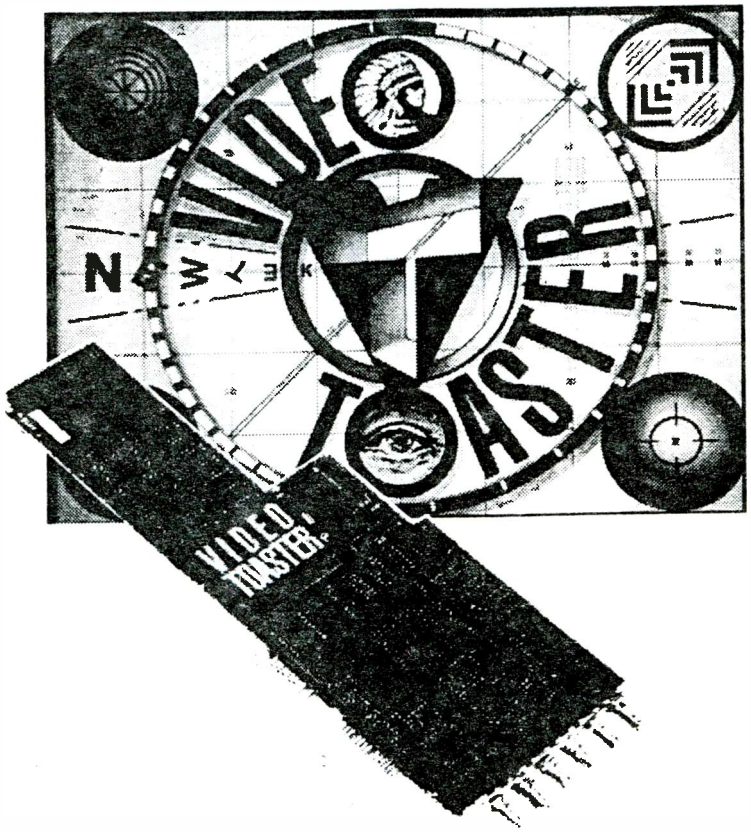
Think of it! 300 Picture Personals delivered right to your home VCR every week free of charge.

Picture Personals in full color that you can keep in one minute's tape space on a video cassette. Personals you can page through at your leisure on your own TV. You will be able to store 120 issues (over 2 years) - 36,000 personals - on one VHS cassette.

So label a blank VHS tape "Pageburst Personals" and get ready for the September start. See the next issue of AZ Single Scene for details on how to set your VCR to pick up Pageburst Personals every week off the air.

*** Ad for TV Pageburst appearing in Arizona singles newspaper**

SUPER SPECIAL!



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Lo-Power Community TV

HOT NEWS!

Biggest Development For LPTV Ever!

The Federal Communications Commission has deregulated use of unused UHF channels for studio to transmitter use and inter-city relays. Complete Docket No. 85-36 inside. Contact Hank Van Deursen at the FCC at (202) 632-9660 for more information. Contact Jim Durst (after January 6th) at (202) 634-6307 on how to apply. STL permits are not competitive and are usually granted in 60 to 90 days.

The FCC did not do this as a favor for low power television. It did it for full service television and radio stations running out of STL channels in crowded major markets. But . . . it is useable by LPTV operators.

December 1985

STV for LPTV Becomes More Viable

People with satellite dishes and those contemplating buying dishes will soon find that the cable channels (intended for cable) they have been watching such as CNN, HBO, ESPN and others will soon be scrambled. They will be offered a descrambler for over $300 and a monthly rate that will be more than double of what cable subscribers pay for the same service. This makes a movie channel on STV via LPTV much more viable; and if you have several channels (CP's) in one market, you can build a wireless cable system (multi-channel) for rural people and still undersell the satellite direct as the present rates are set.

So everything changes . . . and the pendulum is swinging back to make STV via LPTV more marketable. See our October issue, "STV is Alive and Well".

KU - Band

Our policy has been to keep you up to date on the industry without having to wade through tons of publications.

Regarding satellite feeds for low power (or home viewing), there is something new you need to know. A new band (frequency) called "KU-Band" (pronounced "kay-yu") is now in operation and predicted to become the major deliverer of TV signals with 150 transponders within a year or two. Operating on a frequency nearly four times the normal C-band satellite at 12G Hz, this makes for reception on a very small two- or three-foot dish.

Not much on KU-band yet (NBC feeds, for example), but much more coming on these more powerful birds. Large hole mesh dishes do not work well (too much goes through the holes); otherwise, a conventional dish can handle both "C" and "KU" bands but a separate feed and LNA (low noise amplifier) are needed, plus either a receiver that receives both bands (some available in consumer but not commercial) or a separate receiver for KU-band. Territorial Interference (TI) (that means interference on regular C-band from local telephone company microwave on the same frequency) is eliminated on KU-band.

We have previously warned you about signing a lease for a downtown LPTV site until you cleared up whether satellite reception was possible at the location since most telephone company microwave transmitters are right downtown and can easily wipe your reception out. With KU-band, the telephone company should not be a problem, even downtown, and whether other land microwave services on the 12 GHz range could interfere still has to be determined.

The Best Thing Since 7-Up

A late October rulemaking by the FCC has deregulated use of the UHF television band for studio to transmitter links and for connecting relay systems between cities. Low power license holders have previously been ruled legal to use this type of TV broadcast auxiliary services.

Up until now, the connecting link between studio and transmitter or control, or whatever facility needed to tie the two together was prohibitively expensive. It was microwave equipment to get your video and audio to the transmitter site and it cost between $10,000 and $25,000, far out-costing the main transmitter when VHF and sometimes even cost as much as a UHF transmitter itself. Putting in a microwave link to a mountaintop, for example, often doubled the cost of a low power facility.

In addition, microwave equipment required more sophisticated test equipment and personnel. With UHF you can peak antennas, dishes, etc., with an ordinary UHF field-strength meter, TV set, etc. You can use an ordinary VCR or monitor with video out to demodulate it (take it back to basic video and audio again). You should be able to connect your high school basketball game "live" to your transmitter site, etc.

Regarding cost, that's still up in the air; we hope to have some concrete $$ figures and a pilot operation in the wings by next issue.

John Craven got his calculator out with all the engineering charts and figured some examples up for me. Four watts UHF, he determines, could get you 20 miles in point to point with standard production Scala antennas. One half watt would transport your video two miles with an ordinary, unsophisticated antenna system. All without degrading (adding noise) to your picture.

It appears to me that the equipment tolerances required in Docket No. MM85-36 are relatively low (compared to usual) and possibly some of the four-watt UHF equipment available for $1,895 list, for example, may qualify. Maybe even a $65 modulator for the link may suffice if you demodulate again at the tower.

In the past we have suggested having your main satellite receiver at the transmitter site. In that case you would use a transmitter with the modulator at the tower site as usual. The modulator generates (puts

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 Editor and Publisher: Harlan L. Jacobsen.

Send address changes to 7432 E. Diamond, Scottsdale, AZ 85257; phone (602) 945-6746.

video on a VHF TV channel) the VHF channel (any 2 through 13) that is then multiplied with a converter unit up to a specified UHF channel. Your satellite receiver comes out with video and audio that go into the modulator. When you bring in another UHF (any unused compatible channel) channel to bring TV up from the downtown studio to the tower site with this UHF STL system, you will have to get it back to video and audio again to go in the modulator. You will need a double-pole double-throw relay to switch video and audio from satellite to STL (studio to transmitter link).

To make it automatic, you install a video detector on the video output of your demodulator. A demodulator is something that takes a UHF channel and converts it back to video and audio. A VCR does that, and some TV sets that are monitors with video outputs, such as the TMK color monitor we wrote about and bought at K-Mart for $189, have video and audio outputs and gives you a monitor to watch at the same time. How stable (drift-free) these would be on a mountaintop with widely changing temperatures I do not know. You may need something more sophisticated if the tower site is not readily accessible in all weather, etc., in case it drifts. The video detector detects video and puts out a current that pulls in the relay that switches from the tower-located satellite video and audio to what is coming up from the studio. If your STL fails for any reason, you are switched back to satellite reception automatically by the video detector detecting loss of video. To switch back to satellite, you shut off the STL. If your dish fills with snow or something at the mountaintop, you can send the satellite program up on the STL from a studio dish so you have back-up to prevent going off the air both ways. The video detector costs about $150; the relay to switch with, under $10.

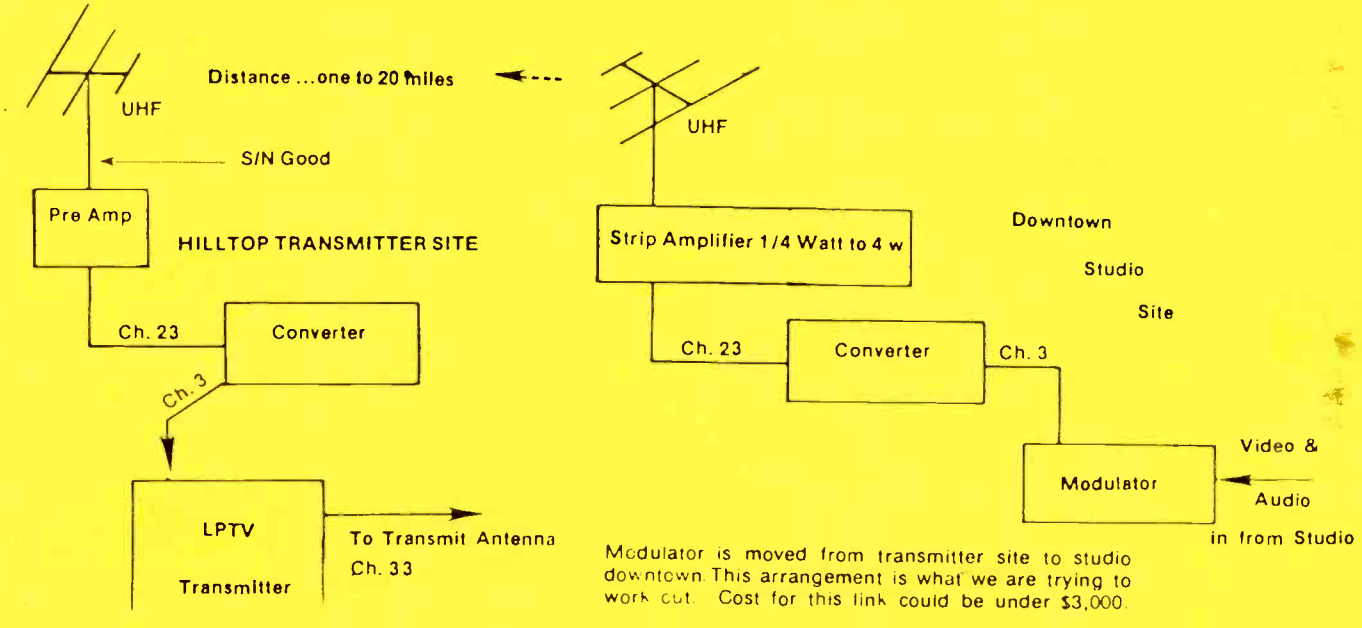
My experience (John Craven agrees) is that you never want to demodulate and remodulate any more than you have to because picture quality suffers. Also, modulators are complicated and are one of your largest sources of potential outages and maintenance problems. Therefore, when you design a new station, you may want to do what we are now trying to develop for my electrical engineer son's LPTV in Rapid City, due to be put on the air in early January. Television Technology Corporation is working on this, but here is the basic plan.

We start with a channel 12 modulator at the studio. We then convert to channel 50, go up one watt output and use a highly directional antenna vertically polarized (up and down instead of flat horizontal as usual) two and a half miles away at the mountaintop. We pick it up with a similar antenna which feeds a low-noise pre-amp. That is then converted back to channel 12, and the transmitter unit on the mountain is essentially a channel 12 to 24 translator.

To start out, we will just have the channel 12 modulator right at the transmitter as usual, but it is all planned with the right channel conversions (no interference from local channels) so later, when the studio is ready, we take the modulator downtown. We then have the added cost of two channel converters (usually about $300 each). Whether or not we can use an ordinary UHF strip amplifier (about $200) to get the channel 51 output up to one half watt (legally), I do not yet know. We then need a pre-amp ($30 to $150) on the receiving end and a converter to go down to channel 12 again. The transmitter itself will already have a built-in converter from channels 12 to 24. In this case, we need to have all our satellite receivers at the studio. If the STL link goes down we can put the modulator under our arm and physically take it to the tower site with a VCR and tape to get us back on pronto with a cassette of something while we fix the STL.

This UHF set-up should result in less (trouble) outages and far easier and faster to troubleshoot and fix than microwave. If we have to use a one-watt unit (currently the type accepted) for regular broadcasting, we would have an outlay of around $3,000 additional. It looks to me that such sophisticated equipment is not required here for LPTV STL use.

More next month when we have time to gather facts. This article is speculation. See FCC release entitled "Report and Order" (Docket No. 85-36), released November 7, 1985.



Modulator is moved from transmitter site to studio downtown. This arrangement is what we are trying to work out. Cost for this link could be under $3,000.

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
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NOTICE OF SELECTION BY LOTTERY

MUTUALLY EXCLUSIVE CASES INVOLVING LOW POWER TELEVISION AND TELEVISION TRANSLATOR APPLICATIONS

Report No: TS-24 Released: December 2, 1985

Absent the filing of petitions to deny and upon determining that the selectees are otherwise qualified, grant of construction permits to the selectees listed below will be made 30 days from the release date of this public notice.

FILE NO.	APPLICANT NAME/CITY OF LICENSE	
L85-521 BPTVL-820419ST	Rural Television Service/Emporia, KS Channel 02	P. O. BOX 125 LEAVENWORTH KS 66048 REQ:CHAN. 02; ERP .616KW
L85-685 BPTTL-801107IR	Communicasting Corp./Washington, D.C. Channel 42	1705 H STREET N.W. WASHINGTON DC 20006 REQ:CHAN. 42; ERP 3.96KW
L85-689 BPTTL-810108IT	Peyton Broadcasting/Idaho Falls, ID Channel 69	401 EAST 80TH ST., #24F NEW YORK NY 10021 REQ:CHAN. 69; ERP .017KW
L85-716 BPTT-830624IA	Montezuma Dolores/Dove Creek, CO Channel 48	P.O. BOX 158 CORTEZ CO 81321 REQ:CHAN. 48; ERP 176 KW
L85-721 BPTVL-840305I7	American Christian TV/St. Louis, MO Channel 07	6350 WEST FREEWAY DRIVE FORT WORTH TX 76150 REQ:CHAN. 07; ERP .058KW
L85-822 BPTVL-GX0308TU	Latin American Television/Austin, TX Channel 13	4000 TOWN CENTER, #1470 SOUTHFIELD MI 48075 REQ:CHAN. 13; ERP .054KW
L85-835 BPTTL-HA0308RE	Joyce McCune/Kinston, NC Channel 64	608 ANN ST. BEAUFORT NC 28516 REQ:CHAN. 64; ERP 6.42KW
L85-836 BPTTL-821214SC	Local Communications/Roanoke Rapids, NC Channel 62	5918 WELBORN DR. WOOD ACRES MD 20816 REQ:CHAN. 62; ERP 9.70KW
L85-837 BPTT-GM0308NY	Little Rock Communications/Batesville, AR Channel 26	11711 WEST MARKHAM ST. LITTLE ROCK AR 72211 REQ:CHAN. 26; ERP .896KW
L85-838 BPTTL-820615PJ	A.M.O. Broadcasting/Sulphur Springs, AR Channel 26	HIGHWAY 59 NW BOX 1088 GROVE OK 74344 REQ:CHAN. 26; ERP 4.6 KW
L85-839 BPTTL-HF0308VM	Heritage Broadcasting/Saint Pauls, NC Channel 46	2509 COMMERCIAL DRIVE AUBURN HILL MI 48057 REQ:CHAN. 46; ERP 20.0KW
L85-840 BPTTL-AJ0305NF	Deanna Hinojosa/Topeka, KS Channel 15	P.O. BOX 355 MERCEDES TX 78570 REQ:CHAN. 15; ERP 18.4KW
L85-841 BPTTV-GL0308UX	Ebonite/Willmar, MN Channel 06	1556 GERVAIS STREET ST. PAUL MN 55109 REQ:CHAN. 06; ERP 0.01KW

L85-842 BPTTL-820702TY	L.F. Amburn/St. Pauls, NC Channel 34	P.O. BOX 207 EDENTON NC 27932 REQ:CHAN. 34; ERP .470KW
L85-843 BPTTL-830309IK	Mountain TV Network/Junction City, KS Channel 29	BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 29; ERP .901KW
L85-844 BPTTL-840307V6	Millard Oakley/Roanoke Rapids, NC Channel 26	P.O. BOX 520 LIVINGSTON TN 38570 REQ:CHAN. 26; ERP .682KW
L85-845 BPTTL-EFO307RV	AER Productions/Dodge City, KS Channel 19	5040 1/4 COLFAX NO. HOLLYWOOD CA 91601 REQ:CHAN. 19; ERP 11.6KW
L85-846 BPTTL-HCO308NQ	Kim Mooney/Charleston, WV Channel 36	2735 1/2 PINE STREET BOULDER CO 80302 REQ:CHAN. 36; ERP 12.9KW
L85-849 BPTVL-HOO308ZG	Latin American Television/Wichits, KS Channel 05	4000 TOWN CENTER, # 1470 SOUTHFIELD MI 48075 REQ:CHAN. 05; ERP 0.03KW
L85-852 BPTVL-ENO307QY	Lidia Rodriguez/St. Cloud, MN Channel 13	501 MADRID COURT SAN BENITO TX 78586 REQ:CHAN. 13; ERP .106KW
L85-854 BPTTL-EEO307UM	Kay Cee Television/Gillette, WY Channel 44	1250 LAKEVIEW DR. LA HABRA CA 90631 REQ:CHAN. 44; ERP 17.7KW
L85-855 BPTVL-HLO308SE	Janet Roberts/Odessa, TX Channel 13	SALINA STAR ROUTE BOULDER CO 80302 REQ:CHAN. 13; ERP 130 KW
L85-857 BPTTL-8403083X	Lakeland Cable TV/McAlester, OK Channel 52	BOX 321 CROWDER OK 74430 REQ:CHAN. 52; ERP .892KW
L85-858 BPTVL-840301NH	Brooks Broadcasting/Melbourne, FL Channel 04	507 TRINITY STREET AUSTIN TX 78701 REQ:CHAN. 04; ERP 1.32KW
L85-859 BPTTL-810409VQ	KTUL-TV/Ponca City, OK Channel 56	P.O. BXO 1887 MUSKOGEE OK 74401 REQ:CHAN. 56; ERP 1328KW
L85-860 BPTTL-830312G6	John Morgan/Vidalia, GA Channel 59	2707 SHARONDALE DRIVE,NE ATLANTA GA 30305 REQ:CHAN. 59; ERP 3.87KW
L85-861 BPTTL-820623E9	Free State Broadcasting/Evergreen, AL Channel 14	513 N. 6TH AVENUE LAUREL MS 39440 REQ:CHAN. 14; ERP 6.83KW
L85-862 BPTTL-821025TY	Owen Broadcasting/Erick, OK Channel 58	P.O. BOX 742 KNOXVILLE TN 37901 REQ:CHAN. 58; ERP .459KW
L85-864 BPTTL-830309TI	Mountain TV Network/Stillwater, OK Channel 20	BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 20; ERP .52 KW
L85-866 BPTTL-GQO308QM	Neighborhood Broadcasting/Gastonia, NC Channel 34	900 N.W. EIGHTH AVENUE GAINEVILLE FL 32601 REQ:CHAN. 34; ERP 14.8KW
L85-867 BPTTL-GKO308UW	Lidia Rodriguez/Hope, AR Channel 27	501 MADRID COURT SAN BENITO TX 78586 REQ:CHAN. 27; ERP 2.16KW
L85-868 BPTTL-HAO308SB	Neighborhood Broadcasting/Augusta, GA Channel 44	900 N.W. EIGHTH AVENUE GAINESVILLE FL 32601 REQ:CHAN. 44; ERP 12.3KW
L85-869 BPTVL-GFO308RC	Neighborhood Broadcasting/Ft. Meyers, FL Channel 07	900 N.W. EIGHTH AVENUE GAINESVILLE FL 32601 REQ:CHAN. 07; ERP .113KW
L85-870 BPTTL-HAO308QG	West Virginia Telecasting/Pikeville, KY Channel 32	23 BROADCAST PLAZA HURRICANE WV 25526 REQ:CHAN. 32; ERP 10.9KW
L85-873 BPTTL-8303146L	Mountain TV Network/Ashton, ID Channel 14	BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 14; ERP .639KW

L85-874 BPTTL-821105TY	Artis Mebane/Livingston, MT Channel 15	355 WHITNEY AVENUE JOLIET IL 60435 REQ:CHAN. 15; ERP 1.3 KW
L85-877 BPTTL-GCO308QN	Midamerica LPTV/Pueblo, CO Channel 18	1957 BLAIRS FERRY RD.,NE CEDAR RAPIDS IA 52402 REQ:CHAN. 18; ERP 40.8KW
L85-879 BPTVL-HKO308UQ	Mike Mendoza/Jupiter, FL Channel 09	3806 ROYAL CREST DR. FORT WORTH TX 76140 REQ:CHAN. 09; ERP .158KW
L85-880 BPTTL-8403084X	Barbara Vacketta/Cheboygan, MI Channel 19	42174 ROSCOMMON NORTHVILLE MI 48167 REQ:CHAN. 19; ERP 5.19KW
L85-881 BPTTL-830218XH	Mountain TV Network/Fallon, NV Channel 16	P.O. BOX 31 BERRYVILLE AR 72616 REQ:CHAN. 16; ERP 4.4 KW
L85-882 BPTVL-HNO308WY	Baby Boom Broadcasting/Pensacola, FL Channel 12	1640 5TH ST., SUITE 203 SANTA MONICA CA 90401 REQ:CHAN. 12; ERP .062KW
L85-884 BPTTL-GYO308LR	Broadcast Data/Attica, NY Channel 33	P.O. BOX 191 PASADENA MD 21122 REQ:CHAN. 33; ERP .596KW

PUBLIC NOTICE

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1177

News media information 202/254-7674 Recorded listing of releases and texts 202/632-0002

Low Power/Television Translators: Proposed Construction Permits

Report No.: GL85-24 Released: December 2, 1985

Notice is hereby given that the television translator and low power television application(s) listed below have been accepted for filing. These applications, which are not mutually exclusive with other LPTV and TV translator applications have been fully reviewed and in the absence of petitions to deny, the applications appear to be grantable. Petitions to deny the application(s) may be filed with the Commission within 30 days of the date of this notice. Such petitions should clearly bear the caption of the applicable application listed below.

BPTTV-830209IT
State of Alaska
Russian Mission, Alaska — Channel 11

BMPTVL-850610LW
State of Alaska
Clarks Point, Alaska — Channel 12

BPTTL-830906IH
C-Tel, Inc.
Glasgow/Wolf Point, Montana — Channel 19

BPTTL-850617LH
Bruce A. Robertson D/B/A Big D TV
Delta Junction, Alaska — Channel 35

BPTT-850610MN
State of Alaska
Anchor Point, Alaska — Channel 51

BPTTL-850614PQ
Metro Television of Alaska, Inc.
Anchorage, Alaska — Channel 28

BPTT-830613IE
State of Alaska
Kasilof, Alaska — Channel 61

BPTT-850610MP
State of Alaska
North Kenia, Alaska — Channel 55

BMPTT-830613ID
State of Alaska
Kasilof, Alaska — Channel 56

BPTT-830613IF
State of Alaska
Kasilof, Alaska — Channel 67

BPTTL-850617LN
Echonet Corporation
Anchorage, Alaska — Channel 41

BPTT-830124TZ
Boundary County TV Translator District
Bonners Ferry/Naples, Idaho — Channel 67

BPTTV-850617LW
Akaska Public Television, Inc.
Homer, Alaska — Channel 7

BPTTL-830218IC
State of Alaska
Craig, Alaska — Channel 61

BPTTL-830317PT
Mountain TV Network, Inc.
Lebanon, Missouri — Channel 51

BPTTL-830228PV
Mountain TV Network, Inc.
Bethany, Missouri — Channel 65

BPTTL-830228PY
Mountain TV Network, Inc.
Bethany, Missouri — Channel 33

BPTTL-830309QB
Mountain TV Network, Inc.
Tyro, Kansas — Channel 64

BPTTL-810114LH
Residential Entertainment, Inc.
Joplin, Missouri — Channel 57

BPTTL-8401169B
American Lo-Power Television Network, Inc.
Clovis, New Mexico — Channel 45

BPTTL-830224SF
Mountain TV Network, Inc.
Prairie City, Missouri — Channel 34

BPTTL-830224SV
Mountain TV Network, Inc.
Prairie City, Missouri — Channel 18

BPTTL-830228PO
Mountain TV Network, Inc.
Bethany, Missouri — Channel 67

BPTTL-830228PP
Mountain TV Network, Inc.
Bethany, Missouri — Channel 61

BPTVL-801124IC
Riverton Fremont TV Club, Inc.
Riverton/Arapahoe, Wyoming — Channel 8

BPTTL-820623C7
Robert L. Davis
Houston, Missouri — Channel 16

BPTTL-830331C4
Koenig Broadcast Group
St. Ignace, Michigan — Channel 14

BPTTL-830224SE
Mountain TV Network, Inc.
Prairie City, Missouri — Channel 36

BPTTL-830711D8
Christians Incorporated for Christ, Inc.
Branson, Missouri — Channel 25

BPTTL-830309IV
Mountain TV Network, Inc.
Ely, Nevada — Channel 28

BPTTL-830309QI
Mountain TV Network, Inc.
Ely, Nevada — Channel 36

BPTTL-830323I4
Mountain TV Network, Inc.
Burwell, Nebraska — Channel 14

BPTTL-830224RN
Mountain TV Network, Inc.
West Plains, Missouri — Channel 51

BPTT-830210IW
Gunnison County Metropolitan Recreation District
Parlin/Doyleville, Colorado — Channel 61

BMPTTV-850610LX
State of Alaska
Clarks Point, Alaska — Channel 6

Before the

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

36194

In the matter of	)	MM
	)	FCC 85-588
Review of Technical and Operational Requirements: Part 74-E Aural Broadcast STL and ICR Stations; and Part 74-F TV Auxiliary Broadcast Stations	) MM Docket No. 85-36	

REPORT AND ORDER

Adopted: October 31, 1985 Released: November 7, 1985

By the Commission:

Introduction/Background

1. The Commission has under consideration, a Notice of Proposed Rule Making (Notice)[1] in the above captioned matter and the comments and reply comments filed in response thereto.[2] The Notice proposed to revise certain rules covering technical and operational requirements for Studio to Transmitter Links (STL), Intercity Relay (ICR), Television Pickup (TVP), and Microwave Booster (booster) stations. These stations are used to transmit program material and control signals from the studio to the broadcast transmitter and for relay of material between locations. The proposed actions would allow more flexibility for licensees and provide for more efficient use of the spectrum.

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1 Adopted on February 12, 1985, 50 FR 8172 (February 28, 1985).

2 Comments were filed by: Association of Federal Communications Consulting Engineers (AFCCE); Association of Maximum Service Telecasters (MST); CBS, Inc (CBS); Electronic Industries Association - Consumer Electronics Group (EIA-CEG); Electronic Industries Association - Fixed Point-to-point Section (EIA-FPP); Geostar Corp (Geostar); Hubbard Broadcasting, Inc (Hubbard); Hughes Aircraft Company (Hughes); George Jackobs & Associates, Inc (Jackobs); John E. Leonard (Leonard); Marti Electronics, Inc (Marti); National Association of Broadcasters (NAB); National Broadcasting Company, Inc. (NBC); National Radio Broadcasting Association (NRBA); and Society of Broadcast Engineers (SBE). Reply comments were filed by: Hubbard; Hughes; and SBE.

Issue 1: Frequency Authorization Procedures

2. To accommodate more users in the 950 MHz aural STL/ICR band, the Notice proposed to divide the band into 25 kHz stackable segments and to mandate narrower channel bandwidths after a five year period. The proposed maximum authorized channel bandwidth would correspond to the type of service of the station.[3] Current 500 kHz wideband channel operation could continue in areas of the country where spectrum crowding is not a problem. Comment was solicited on appropriate guidelines to determine areas of the country that would be required to convert to narrow channels. Also proposed was division of the 1990-2110 and 6875-7125 MHz bands into 1 MHz segments which could be stacked to provide flexibility in system development and implementation.

Aural STL/ICR channel band plan

3. The NAB opposed mandatory bandwidth reductions (after July 1990) for STL/ICR channels stating that there is no assurance narrowband equipment could or would be developed, thus, leaving broadcasters unable to comply with a Commission regulation. Others expressed concern that a 250 kHz channel would probably not support stereophonic audio plus ancillary channels for remote control and Subsidiary Communications Authorizations (SCA).

4. Several comments presented evidence that narrowband channel operation is possible immediately or in the very near-term. SBE presented data measured under actual STL/ICR operating conditions during field tests conducted in the Los Angeles, California area (a very spectrum congested market). Based on the SBE experience, both stereo and mono stations can be authorized the same bandwidths with a maximum of 250 kHz for AM stations and 375 kHz for FM stations, with no distinction between stereophonic and monophonic signals.

5. Leonard stated that "new technologies and techniques are available now to permit more efficient use of the spectrum available to this service. It is possible to design an aural STL system today using frequency modulation (FM) that provides 15 kHz audio response with a signal-to-noise ratio exceeding -70 dBm below program level and total harmonic distortion of less than .01%. Such a system using frequency modulation could exist in a total RF bandwidth of 125 kHz." He indicated that two such transmitters would only occupy 250 kHz of spectrum and that an additional 25 kHz channel could be authorized for secondary information. He also recommended that no distinction be made between AM and FM stations in regards to channel bandwidth.

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3 There is a severe shortage of 500 kHz channels in some areas to support the anticipated influx of new stations expected due to the rising costs of leased line facilities. SBE stated that, in some cases, costs for such services have gone up 300% to 1000% and that some stations may find it more economical to switch to a radio link.

6. Marti Electronics is presently producing and marketing narrowband systems internationally meeting the proposed channel bandwidths (although such bandwidths on the Marti system would not support stereo and a subcarrier service). The system includes two transmitters (and two receivers) using single carrier per channel (SCPC) techniques which are asserted to offer immunity to interference, lower cross talk, lower receiver noise threshold, and higher signal to noise ratio than multiplexed (composite) FM systems in stereo STL/ICR service. Marti also recommended authorizing an additional 25 kHz channel to provide a 20-7500 Hz audio channel suitable for subcarrier operation.

7. Considering the limited availability of spectrum for this purpose, the current availability of equipment, the high cost of leased common carriar channels, and the additional demand upon the 950 MHz STL/ICR band to accommodate new licensees, we believe that action is warranted on this issue. The record strongly supports the feasibility of narrowband aural STL/ICR operation provided that our proposed authorized channel bandwidths are adjusted to permit SCA and remote control signals. From a practical standpoint, the benefits of a single bandwidth for both stereophonic and monophonic channels appear to outweigh the small savings in spectrum based on class of service.[4] Furthermore, the narrowband criteria of 300 kHz for FM and 200 kHz for AM stations appear to be a suitable compromise between our proposed narrower bandwidths and the wider bandwidths proposed in the comments. These bandwidths are capable of supporting full stereo audio and two limited audio channels.[5]

8. Although we solicited comment on how to select congested areas that would be authorized only narrowband operation, the record lacks any guidance in this area. The goal of this docket is to ensure that the spectrum is utilized efficiently and that additional stations can be accomodated. The NAB stated that broadcasters can and do work together to use narrower bandwidths as the technical means for doing so are developed. We encourage the industry to work together in achieving the most efficient use of spectrum and will, in this Order, provide incentives to foster this approach.

9. A prospective applicant might be accommodated if an existing station or stations were to modify their STL/ICR equipment to use less bandwidth or better reject adjacent channel interference. This could be accomplished, for example, by one or more of the following techniques: a frequency shift, more directive antennas, installation of cavity filters, replacement of transmitter and or receiver. We expect the applicant to negotiate with existing licensed stations to incorporate reasonable changes with the applicant bearing the cost of such changes. The existing stations must accept reasonable modifications (at no cost to themselves) provided that the modifications result in substantially the same capabilities (i.e. similar program channels, remote control channel, and SCA) and the same interference protection to those channels.

10. As an incentive to operate efficiently, we will allow narrow bandwidth stations (300 kHz for FM and 200 kHz for AM) to lease additional capacity for broadcast and other uses. This lease would be considered to be on a "primary basis" because the station would already be narrowband. Other stations, not already narrowband, may also lease additional capacity, on a "secondary basis" subject to availability of 950 MHz spectrum for broadcast use. These secondary leased facilities cannot be considered in negotiations between stations (as described in paragraph 9), nor will such a lease be considered a valid reason not to modify a link for narrowband operation. Thus, unless a licensee is operating under the narrowband criteria, lease of excess capacity is entirely at the licensee's own risk. (Local frequency coordinations may desire to keep information pertaining to leases with other station data in their databases, conceivably to act as an informational clearinghouse with respect to leasing operations.)

2 and 7 GHz TVP and booster band plan

11. This band plan proposed to allow the continued use of microwave systems currently in use in these bands while allowing industry to develop equipment with narrower channel bandwidths. The band plan based on stackable channel segments that we proposed is more flexible than the rigidly structured, fixed channel assignment presently mandated. This approach would allow continued use of all present and new equipment designed for the current channel structures in the microwave bands and give licensees and manufacturers the option of implementing new technologies and spectrum efficient techniques without need for further Commission action. Only rigidly structured channel constraints are removed and, therefore, no equipment or systems need become prematurely obsolete under this plan.

12. Some Electronic News Gathering (ENG) organizations in congested areas use multiple receiver sites. These stations can operate more than one narrowband FM transmitter simultaneously on a single channel when more than one feed is required. In these instances, some signal quality can be sacrificed in favor of the additional feed.[6] The goal of this Order is to ensure that the Rules contain the flexibility necessary to foster the continuation of such innovative and spectrum efficient operation.

13. The record supports the proposal provided that implementation of the band plan proceeds in an orderly manner. The record reflects that stations already operating on split channels in the 2 and 7 GHz bands would require a segment smaller than 1 MHz to be accommodated.[7] Segment sizes of 6.25 MHz, 250 kHz, and 125 kHz were suggested rather than the proposed 1 MHz segment. The EIA-FPP suggested segments of 8.5, 8.333, and 8 MHz based upon

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4 See SBE comments.

5 See comments from Marti and Leonard.

6 See CBS comments.

7 See SBE comments.

division of current channels into halves or thirds but made no showing that equipment would actually require such bandwidths. We note that 250 kHz segments would accomplish the goals set forth in the Notice, and accordingly, are adopting the 250 kHz segment with maximum authorized channel bandwidths of 17 MHz in the 1990-2110 MHz band and 25 MHz in the 6875-7125 MHz band.

14. We will rely on the cooperation of licensees (for example, through local frequency coordinating committees) to decide upon the most efficient implementation of a band plan in each specific area. We expect that the conventional channel structure will serve as a guideline where possible to promote an organized transition as new technologies are developed and implemented.[8]

Issue 2: Emission Standards

15. The record supports revision of the emissions standards to include provision for Single Sideband (SSB) equipment to provide more flexibility in the design and operation of auxiliary systems. These standards are optional and the current FM standards will remain unchanged. Accordingly, the emission standards will be adopted as proposed.

Issue 3: TV auxiliary use of UHF-TV Channels

16. The EIA/CEG supported fixed auxiliary TVP sharing of the UHF-TV channels if the protection specified in Subpart G (Low Power TV and TV Translator Stations) is followed for the TVP stations. NBC, also supported fixed auxiliary sharing of the UHF-TV band on a secondary basis. Accordingly, auxiliary TVP sharing will be permitted on a secondary basis in the UHF TV band subject to the protection criteria in Subpart G.

17. Accordingly, we are adopting rules to permit fixed point-to-point auxiliary sharing of the UHF-TV band on a limited basis. These TV STL/ICR stations will be secondary to current and future full power TV allocations, LPTV authorizations, and translator authorizations. The STL/ICR licenses will also be secondary to current land mobile allocations and contingent upon the decisions of the pending Notices of Proposed Rule Making in Dockets 85-172 and 84-902 concerning additional use of the UHF-TV spectrum for land mobile operations.[9]

18. For processing purposes, we will apply the protection criteria specified in §74.709 of the Rules to protect land mobile operations as allowed under Part 90, subpart L of the Rules.[10] The interim protection criteria detailed in paragraphs 35 and 36 of the Notice of Proposed Rule Making in Docket No. 85-172 will be used to protect land mobile operations proposed in Dockets 85-172 and 84-902, pending the outcome of those proceedings. These steps should avoid interference between broadcast auxiliary and land mobile operations.

Issue 4: Remote Control

19. The record supports revision of the remote control rules to provide more flexibility in the design and operation of auxiliary systems.[11] Accordingly, the remote control rules will be adopted as proposed. We note, however, the Notice of Proposed Rule Making (in MM Docket No. 85-225) [12] proposed total flexibility for remote control operations for Part 74-A Experimental Broadcast Stations and for Part 74-I Instructional Television Fixed Service stations. In light of that proposal, we may further revise the remote control rules adopted here in a rules oversight proceeding.

Issue 5: Modification of Station Identification Requirement

20. Auxiliary licensees are currently required to periodically identify their on-the-air signals. It appeared, initially, that this requirement could be eliminated for fixed transmitters. The record indicates, however, that prompt identification of interfering signals is imperative and frequently, the call sign information on signals is the only means to locate the source of interference. It was also asserted, that this requirement is not a burden on licensees and should remain intact. Accordingly, the identification requirements will remain unmodified.

Other Considerations

21. The proposed revision of §74.502 clarifying the secondary status of TV licensees using the 950 MHz band for aural service (as set forth in §74.603) received support and will be adopted as proposed.

22. The comment received from Jacobs pertains to authorizing a class of stations to the 950 MHz aural STL/ICR band. That comment is beyond the scope of this proceeding because the Commission did not propose such action in the Notice and cannot, in this Order, amend the Rules without due process as set forth by the Administrative Procedures Act (APA).

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8 See comments from EIA-FPP.

9 See Notice of Proposed Rule Making, Gen. Docket No. 85-172, 50 FR 25587 (June 20, 1985); Notice of Proposed Rule Making, Gen. Docket No. 84-902, 49 FR 45875 (November 21, 1984); and Further Notice of Proposed Rule Making, Gen. Docket No. 84-902, 50 FR 19956 (May 13, 1985).

10 See 47 C.F.R. §90.301 through §90.315.

11 See comments from CBS and NAB.

12 Published as 50 FR 30979 (July 31, 1985).

Regulatory Flexibility Final Analysis

23. Need and purpose of this action: Through this decision, the Commission hopes to increase spectrum efficiency while allowing licensees maximum flexibility. The lack of spectrum to accommodate demands for auxiliary broadcast services necessitates that the current bands be used more efficiently.

24. Summary of issues raised by the public comments in response to the Initial Regulatory Flexibility Analysis: No issues of significance were raised in addition to those set forth above.

25. Significant alternatives considered and rejected: The Commission considered the alternatives presented in the Notice and timely filed comments directed to the various issues in the Notice. After weighing all aspects of this proceeding, the Commission has adopted the course of action it deems most reasonable and as best service for the public interest under the Communications Act of 1934, as amended.

Paperwork Reduction Act

26. This order contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or recordkeeping, labeling, disclosure, or record retention requirements; and will not increase or decrease burden hours imposed on the public.

Actions

27. The Secretary shall cause a copy of this Report and Order, including the Final Regulatory Flexibility Analysis, to be sent to the Chief Counsel for Advocacy of Small Business Administration in accordance with Section 603(a) of the Regulatory Flexibility Act (Pub. L. No. 96-354, 94 Stat. 1164, 5 U.S.C. 601 et seq), (1981).

28. Accordingly, IT IS ORDERED that Part 74 of the Commission's Rules IS AMENDED as set forth in the attached Appendix A, to be effective December 16, 1985.

29. IT IS FURTHERED ORDERED that Part 74 of the Commission's Rules IS AMENDED as set forth in the attached Appendix B, to be effective on the date specified in a future order to be issued by the Chief, Mass Media Bureau indicating that appropriate computer programs are available for implementing the new rules.

30. The actions taken herein are pursuant to Section 5 U.S.C. §553(d)(1). Authority for the actions taken herein is contained in Sections 4(i) and 303(r) of the Communications Act of 1935, as amended.

31. Further information on this proceeding may be obtained by contacting Hank VanDeursen, Mass Media Bureau, (202) 632-9660.

FEDERAL COMMUNICATIONS COMMISSION

William J. Tricarico
Secretary

Attachments: Appendix A and Appendix B

APPENDIX A

Title 47 of the Code of Federal Regulations, Part 74 is amended (to be effective 30 days after adoption) as follows:

1. The authority citations for Part 74 continue to read as follows: Authority: 47 U.S.C. 154 and 303.

2. §74.501 is amended by revising paragraphs (a) and (b) to read as follows:

§74.501 Classes of stations.

(a) Aural broadcast STL station. A fixed station for the transmission of aural program material between the studio and the transmitter of a broadcasting station other than an international broadcasting station.

(b) Aural broadcast intercity relay (ICR) station. A fixed station for the transmission of aural program material between broadcasting stations other than international broadcasting stations.

* * * * *

3. §74.533 is amended by removing subparagraph (a)(4) and revising subparagraphs (a)(1), (2), and (3), to read as follows:

§74.533 Remote control and unattended operation.

(a) * * *

(1) The remote control system must provide adequate monitoring and control functions to permit proper operation of the station.

(2) The remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by operators authorized by the licensee.

(3) The remote control system must prevent inadvertent transmitter operation due to malfunctions in circuits between the control point and transmitter.

4. §74.535 is amended by revising paragraphs (a), (b), and (c) to read as follows:

§74.535 Emission and bandwidth.

(a) For frequency modulation, the mean power of emissions shall be attenuated below the mean transmitter power (P) in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the assigned frequency by more than 100% and up to 150% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the assigned frequency by more than 150% of the authorized bandwidth: at least 43 + 10 Log(P) dB.

(b) For all emissions except frequency modulation, the peak power of emissions shall be attenuated below the peak envelope transmitter power (P) in accordance with the following schedule:

(1) On any frequency 500 Hz inside the channel edge up to and including 2500 Hz outside the same edge, the following formula will apply:

$$\text{Attenuation} = 29 \text{ Log } \left(\frac{25}{11} \left(D + 2.5 - \frac{W}{2} \right)^2 \right) \text{ dB}$$

or 50 dB whichever is the lesser attenuation. Where: D is the displacement frequency (kHz) from the center of the authorized bandwidth; and W is the channel bandwidth (kHz).

(2) On any frequency removed from the channel edge by more than 2500 Hz: At least 43 + 10 Log (P) dB.

(c) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may require the licensee to take such further steps as may be necessary to eliminate the interference.

5. §74.536 is amended by revising paragraph (a) to read as follows:

§74.536 Directional antenna.

(a) Aural broadcast STL and ICR stations are required to use a directional antenna with the minimum beamwidth necessary, consistent with good engineering practice, to establish the link.

6. §74.550 is amended by revising the introductory text to read as follows:

§74.550 Equipment authorization.

Each authorization for aural broadcast STL, ICR, and booster stations shall require the use of notified or type accepted equipment, except that operation of 944-952 MHz equipment which has not been approved under the equipment authorization program may continue until July 1, 1990, after which, equipment must be approved. Requirements for obtaining a grant of equipment authorization are contained in Subpart J of Part 2 of the Rules. Equipment designed exclusively for fixed operation shall be authorized under notification procedure (see §2.904(d) of this chapter).

7. §74.551 is amended by revising subparagraphs (a)(1) and (2) to read as follows:

§74.551 Equipment changes.

(a) * * *

(1) A change in the ERP.

(2) A change in the operating frequency or channal bandwidth.

* * * * *

8. §74.561 Frequency tolerance is amended by removing and reserving paragraph (a).

9. §74.562 is amended by revising the introductory text to read as follows:

§74.562 Frequency monitors and measurements.

The licensee shall ensure that the STL, ICR, TVP, or booster transmitter does not exceed the emission limitations of Section 74.535. This may be accomplished by appropriate frequency measurement techniques and consideration of the transmitter emissions.

* * * * *

10. §74.602 is amended by adding a new paragraph (i) to read as follows:

§74.602 Frequency assignment.

* * * * *

(i) TV STL and TV relay stations may be authorized, on a secondary basis and subject to the provisions of Subpart G of this chapter, to operate fixed point-to-point service on the UHF-TV channels 14-69. These stations must not interfere with and must accept interference from current and future full-power UHF-TV stations, LPTV stations, translator stations. They will also be secondary to current land mobile stations (in areas where land mobile sharing is currently permitted and contingent on the decision reached in the pending Dockets No. 85-172 and No. 84-902).

11. §74.634 is amended by removing subparagraph (e)(4) and revising subparagraphs (a)(1), (2), and (3) to read as follows:

§74.634 Remote control.

(a) * * *

(1) The remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by operators authorized by the licensee.

(2) The remote control equipment must be maintained to ensure proper operation.

(3) The remote control system must be designed to prevent inadvertent transmitter operation caused by malfunctions in the circuits between the control point and transmitter.

12. §74.637 is amended by revising paragraphs (a) and (b), and adding a new paragraph (f) to read as follows:

§74.637 Emissions and emission limitations.

(a) For frequency modulation, the mean power of emissions shall be attenuated below the mean transmitter power (P) in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the assigned frequency by more than 100% and up to 150% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the assigned frequency by more than 150% of the authorized bandwidth: at least 43 + 10 Log(P) dB.

(b) For all emissions except frequency modulation, the peak power of emissions shall be attenuated below the peak envelope transmitter power (P) in accordance with the following schedule:

(1) On any frequency 500 Hz inside the channel edge up to and including 2500 Hz outside the same edge, the following formula will apply:

$$\text{Attenuation} = 29 \text{ Log } \left(\frac{25}{11} \left(D + 2.5 - \frac{W}{2} \right)^2 \right) \text{ dB}$$

or 50 dB whichever is the lesser attenuation. Where: D is the displacement frequency (kHz) from the center of the authorized bandwidth; and W is the channel bandwidth (kHz).

(2) On any frequency removed from the channel edge by more than 2500 Hz: At least 43 + 10 Log (P) dB.

(f) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may require the licensee to take such further steps as may be necessary to eliminate the interference.

APPENDIX B

Title 47 of the Code of Federal Regulations, Part 74 is amended (to be effective on the date specified in a future order to be issued by the Chief Mass Media Bureau) as follows:

1. The authority citations for Part 74 continue to read as follows:
Authority: 47 U.S.C. 154 and 303.

2. §74.502 is amended by revising paragraphs (a) and (c) and adding new subparagraphs (a)(1), (2), and (3) to read as follows:

§74.502 Frequency assignment.

(a) The frequency band 944-952 MHz is available for assignment to aural STL and ICR stations. AM and FM broadcast stations shall have primary use of the band; however, TV broadcast stations may be licensed on a secondary, noninterference basis. One or more of the following 25 kHz segments may be stacked to form a channel which may be assigned with a maximum authorized bandwidth of 300 kHz except as noted below. The channel, will be assigned by its center frequency, channel bandwidth, and emission designator. The following frequencies are the centers of each segment:

944.0125, 944.0375, 944.0625, 944.0875, 944.1125, 944.1375, 944.1625, 944.1875,
944.2125, 944.2375, 944.2625, 944.2875, 944.3125, 944.3375, 944.3625, 944.3875,
944.4125, 944.4375, 944.4625, 944.4875, 944.5125, 944.5375, 944.5625, 944.5875,
944.6125, 944.6375, 944.6625, 944.6875, 944.7125, 944.7375, 944.7625, 944.7875,
944.8125, 944.8375, 944.8625, 944.8875, 944.9125, 944.9375, 944.9625, 944.9875,
945.0125, 945.0375, 945.0625, 945.0875, 945.1125, 945.1375, 945.1625, 945.1875,
945.2125, 945.2375, 945.2625, 945.2875, 945.3125, 945.3375, 945.3625, 945.3875,
945.4125, 945.4375, 945.4625, 945.4875, 945.5125, 945.5375, 945.5625, 945.5875,
945.6125, 945.6375, 945.6625, 945.6875, 945.7125, 945.7375, 945.7625, 945.7875,
945.8125, 945.8375, 945.8625, 945.8875, 945.9125, 945.9375, 945.9625, 945.9875,
946.0125, 946.0375, 946.0625, 946.0875, 946.1125, 946.1375, 946.1625, 946.1875,
946.2125, 946.2375, 946.2625, 946.2875, 946.3125, 946.3375, 946.3625, 946.3875,
946.4125, 946.4375, 946.4625, 946.4875, 946.5125, 946.5375, 946.5625, 946.5875,
946.6125, 946.6375, 946.6625, 946.6875, 946.7125, 946.7375, 946.7625, 946.7875,
946.8125, 946.8375, 946.8625, 946.8875, 946.9125, 946.9375, 946.9625, 946.9875,
947.0125, 947.0375, 947.0625, 947.0875, 947.1125, 947.1375, 947.1625, 947.1875,

947.2125, 947.2375, 947.2625, 947.2875, 947.3125, 947.3375, 947.3625, 947.387'
947.4125, 947.4375, 947.4625, 947.4875, 947.5125, 947.5375, 947.5625, 947.5875,
947.6125, 947.6375, 947.6625, 947.6875, 947.7125, 947.7375, 947.7625, 947.7875,
947.8125, 947.8375, 947.8625, 947.8875, 947.9125, 947.9375, 947.9625, 947.9875,
948.0125, 948.0375, 948.0625, 948.0875, 948.1125, 948.1375, 948.1625, 948.1875,
948.2125, 948.2375, 948.2625, 948.2875, 948.3125, 948.3375, 948.3625, 948.3875,
948.4125, 948.4375, 948.4625, 948.4875, 948.5125, 948.5375, 948.5625, 948.5875,
948.6125, 948.6375, 948.6625, 948.6875, 948.7125, 948.7375, 948.7625, 948.7875,
948.8125, 948.8375, 948.8625, 948.8875, 948.9125, 948.9375, 948.9625, 948.9875,
949.0125, 949.0375, 949.0625, 949.0875, 949.1125, 949.1375, 949.1625, 949.1875,
949.2125, 949.2375, 949.2625, 949.2875, 949.3125, 949.3375, 949.3625, 949.3875,
949.4125, 949.4375, 949.4625, 949.4875, 949.5125, 949.5375, 949.5625, 949.5875,
949.6125, 949.6375, 949.6625, 949.6875, 949.7125, 949.7375, 949.7625, 949.7875,
949.8125, 949.8375, 949.8625, 949.8875, 949.9125, 949.9375, 949.9625, 949.9875,
950.0125, 950.0375, 950.0625, 950.0875, 950.1125, 950.1375, 950.1625, 950.1875,
950.2125, 950.2375, 950.2625, 950.2875, 950.3125, 950.3375, 950.3625, 950.3875,
950.4125, 950.4375, 950.4625, 950.4875, 950.5125, 950.5375, 950.5625, 950.5875,
950.6125, 950.6375, 950.6625, 950.6875, 950.7125, 950.7375, 950.7625, 950.7875,
950.8125, 950.8375, 950.8625, 950.8875, 950.9125, 950.9375, 950.9625, 950.9875,
951.0125, 951.0375, 951.0625, 951.0875, 951.1125, 951.1375, 951.1625, 951.1875,
951.2125, 951.2375, 951.2625, 951.2875, 951.3125, 951.3375, 951.3625, 951.3875,
951.4125, 951.4375, 951.4625, 951.4875, 951.5125, 951.5375, 951.5625, 951.5875,
951.6125, 951.6375, 951.6625, 951.6875, 951.7125, 951.7375, 951.7625, 951.7875,
951.8125, 951.8375, 951.8625, 951.8875, 951.9125, 951.9375, 951.9625, 951.9875.

(1) A single broadcast station may be authorized up to a maximum of twenty segments (500 kHz total bandwidth) for transmission of program material between a single origin and one or more destinations. The station may lease excess capacity for broadcast and other uses on a secondary basis, subject to availability of spectrum for broadcast use. However, an FM station licensed for twelve or fewer segments (300 kHz total bandwidth) or an AM station licensed for eight or fewer segments (200 kHz total bandwidth) may lease excess capacity for broadcast and other uses on a on a primary basis.

(2) An applicant (new or modification of existing license) may assume the cost of replacement of one or more existing licensees equipment with narrowband equipment of comparable capabilities and quality in order to make available spectrum for its facilities. Existing licensees must accept such replacement without cost to them except upon a showing that the replacement equipment does not meet the capability or quality requirements.

(b) * * *

(c) [Reserved]

3. §74.602 is amended by revising paragraph (a) to read as follows:

§74.602 Frequency assignment.

(a) The following frequencies are available to broadcast licensees for assignment to television pickup, television STL, and television relay stations. The bands 1990-2110 and 6875-7125 MHz are divided into 250 kHz segments. (The segment frequencies are from 1990.125 to 2109.875 MHz and from 6875.125 to 7124.875 MHz.) The segments may be combined to form a channel of appropriate bandwidth necessary to transmit television signals, but not exceeding that listed in the table below. The channel, will be assigned by its center frequency, channel bandwidth, and emission designator. It is recommended that channels be assigned according to the table below, provided that such channel bandwidths not exceed requirements The bands 17,700-18,580 and 19,260-19,700 Mhz are available as described in paragraph (i) below. Additionally, the band 38.6-40.0 GHz is available for assignment without channel bandwidth limitations to TV pickup stations on a secondary basis to fixed stations.

10. Section 74.602 would be amended by revising paragraph (a) to read as follows:

74.602 Frequency assignment.

(a) The following frequencies are available to broadcast licensees for assignment to television pickup, television STL, and television relay stations. The bands 1990-2110 and 6875-7125 MHz are divided into 1 MHz segments with the center frequency of each segment 500 kHz above each integer MHz within the bands. (The segment frequencies are from 1990.5 to 2109.5 MHz and from 6875.5 to 7124.5 MHz.) The segments may be combined to form a channel of appropriate bandwidth necessary to transmit television signals, but not exceeding that listed in the table below. The channel, which must not extend beyond the band edge, will be assigned by its center frequency, channel bandwidth, and emission designator. The bands 17,700-18,580 and 19,260-19700 Mhz are available as described in paragraph (i) below. Additionally, the band 38.6-40.0 GHz is available for assignment without channel bandwidth limitations to TV pickup stations on a secondary basis to fixed stations.

* * * * *

11. Section would be amended by deleting subparagraph (a)(4) and revising subparagraphs (a)(1), (2), and (3) to read as follows:

74.634 Remote control.

(a) * * *

(1) The remote control system must be designed, installed, and protected so that the transmitter can only be activated or controlled by operators authorized by the licensee.

(2) The remote control equipment must be maintained to ensure proper operation.

(3) The remote control system must be designed to prevent inadvertent transmitter operation due to malfunctions in the circuits between the control point and transmitter.

* * * * *

12. Section 74.637 would be amended by revising paragraphs (a) and (b), and adding a new paragraph (f) to read as follows:

74.637 Emission and bandwidth.

(a) For frequency modulation, the mean power of emissions shall be attenuated below the mean transmitter power (P) in accordance with the following schedule:

(1) On any frequency removed from the assigned frequency by more than 50% and up to 100% of the authorized bandwidth: at least 25 dB.

(2) On any frequency removed from the assigned frequency by more than 100% and up to 150% of the authorized bandwidth: at least 35 dB.

(3) On any frequency removed from the assigned frequency by more than 150% of the authorized bandwidth: at least 43 + 10 Log(P) dB.

(b) For all emissions except frequency modulation, the peak power of emissions shall be attenuated below the peak envelope transmitter power (P) in accordance with the following schedule:

(1) On any frequency 500 Hz inside the channel edge up to and including 2500 Hz outside the same edge, the following formula will apply:

$$\text{Attenuation} = 29 \text{ Log}\left[\frac{25}{11}\left(D + 2.5 - \frac{W}{2}\right)^2\right] \text{dB}$$

or 50 dB whichever is the lesser attenuation. Where: D is the displacement frequency (kHz) from the center of the authorized bandwidth; and W is the channel bandwidth (kHz).

(2) On any frequency removed from the channel edge by more than 2500 Hz: At least 43 + 10 Log (P) dB.

* * * * *

(f) In the event a station's emissions outside its authorized channel cause harmful interference, the Commission may require the licensee to take such further steps as may be necessary to eliminate the interference.

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

0211

News media information 202/254-7674 Recorded listing of releases and texts 202/632-0002

October 10, 1985

Illegal Video Transmitters

The Federal Communications Commission has recently noted a large increase in the number of manufacturers and equipment suppliers marketing video transmitters to the general public for non-licensed operation. These video transmitters are designed to connect to a video source, such as a video cassette recorder or camera, and transmit the signal over-the-air to a nearby television receiver. The FCC regulations do not permit this type of operation and, accordingly, the manufacturing, marketing or use of these transmitters is both a violation of the FCC Rules and federal law.

It should be noted that the Commission has occasionally received petitions and requests to allow the transmission of video information on the TV broadcast frequencies. Most recently, two petitions seeking to allow this form of operation were reviewed by the Commission. These were filed by RF Power Labs and Mr. Robert C. Greene to allow operation on the UHF and VHF television frequencies, respectively. Both of these petitions were denied by Commission action. The denials were issued because of concern about possible interference to licensed TV broadcast stations. To date, no information has been submitted that would support claims that interference would not occur. Thus, there is no present expectation that the regulations would be amended to permit video transmissions on the television frequencies.

Because the marketing of these video transmitters violates both the Commission's regulations and the Communications Act of 1934, as amended (Title 47 of the United States Code), those persons or companies, including retailers, distributors or importers, found to be marketing this equipment would be subject to the penalties contained within Sections 501 and 503 of the Communications Act. Penalties range as high as a $10,000.00 fine and/or one year in jail for the first offense. The violating equipment may also be seized under the provisions of Section 510 of the Communications Act.

For further information on this subject, contact Mr. John Reed of the Office of Science and Technology at Room 8302, FCC, Washington, D.C. 20554, (202) 653-8247.

- FCC -

PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET N.W.
WASHINGTON, D.C. 20554

1404

News media information 202/254 7674 Recorded listing of releases and texts 202/632 0002

E R R A T A

Report No. 83-7 Released: December 11, 1985

Notice is hereby given that the following applications ARE DELETED from the Public Notice, TELEVISION TRANSLATOR AND LOW POWER TELEVISION APPLICATIONS ACCEPTED FOR FILING: CUT-OFF DATE FOR FILING CONFLICTING APPLICATIONS, released February 7, 1984 (Report No. 83-7). These applications should NOT have been listed as subject to a cut-off date of March 8, 1984.

BPTTL-810116JH/Ch. 63
Tallahassee, FL
North Florida Christian School

BPTTL-810217QB/Ch. 37
Sumpter, SC
Christian Enterprise

BPTTL-810310IP/Ch. 52
Tucson, AZ
Kool Radio-Television, Inc.

BPTTL-820616RU/Ch. 29
Winston, OR
Cascade Pacific Television

BPTTL-820824SW/Ch. 26
Valdosta, GA
Complexicable LPTV

BPTTL-820921PW/Ch. 44
Enid, OK
Frontier Community Communications

BPTTL-821025SQ/Ch. 29
Winston, OR
Owen Broadcasting Enterprises

BPTTL-821027TU/Ch. 27
Wildwood, NJ
Cape May County Television, Inc.

BPTTL-830228PM/Ch. 36
Jasper, TX
Mountain TV Network, Inc.

BPTTL-830309QR/Ch. 29
Coos Bay, OR
Localvision

BPTTL-830309W6/Ch. 54
Chamberlain, SD
Mountain TV Network, Inc.

BPTTL-830324BB/Ch. 64
Oxford, MS
American Translator Development, Inc.

BPTTL-830325C2/Ch. 64
Dubuque, IA
Black Media Associates

BPTTL-830328E7/Ch. 38
Nacogdoches, TX
Channel America Inc.

BPTTL-830311NV/Ch. 38
Central, NM
Mountain TV Network, Inc.

BPTTL-830311NT/Ch. 34
Central, NM
Mountain TV Network, Inc.

E R R A T A

Report No. 83-6 Released: December 16, 1983

Notice is hereby given that the following applications ARE DELETED from the Public Notice, TELEVISION TRANSLATOR AND LOW POWER TELEVISION APPLICATIONS ACCEPTED FOR FILING: CUT-OFF DATE FOR FILING CONFLICTING APPLICATIONS, released December 16, 1983 (Report No. 83-6). These applications should NOT have been listed as subject to a cut-off date of January 16, 1984.

BPTTL-820615QB/Ch. 31
Tyler, TX
Linda D. Clevenger

Low Power/Television Translators: Proposed Construction Permits

Report No.: GL85-24 Released: December 2, 1985

Notice is hereby given that the television translator and low power television application(s) listed below have been accepted for filing. These applications, which are not mutually exclusive with other LPTV and TV translator applications have been fully reviewed and in the absence of petitions to deny, the applications appear to be grantable. Petitions to deny the application(s) may be filed with the Commission within 30 days of the date of this notice. Such petitions should clearly bear the caption of the applicable application listed below.

BPTTL-830311LL3
Mountain TV Network, Inc.
Kingman, Arizona Channel 22

BPTTL-830309O5
Mountain TV Network, Inc.
Tucumcari, New Mexico Channel 28

BPTTL-830317MA
Mountain TV Network, Inc.
Lebanon, Missouri Channel 29

BPTTL-830223UR
Mountain TV Network, Inc.
Potosi, Missouri Channel 31

BPTTL-821216TV
Creative Broadcast Communications
Whitefish, Montana Channel 19

BPTTL-821122HJ
Black Women's Network
of New Jersey, Inc.
Westernport, Maryland Channel 55

BPTTL-830223UN
Mountain TV Network, Inc.
Potosi, Missouri Channel 29

BPTTL-830224TA
Mountain TV Network, Inc.
West Plains, Missouri Channel 53

BPTTL-830224SZ
Mountain TV Network, Inc.
Potosi, Missouri Channel 41

BPTTL-830317MD
Mountain TV Network, Inc.
Lebanon, Missouri Channel 31

BPTTL-830317MC
Mountain TV Network, Inc.
Lebanon, Missouri Channel 39

BPTTL-830317ME
Mountain TV Network, Inc.
Lebanon, Missouri Channel 57

NEWS

FEDERAL COMMUNICATIONS COMMISSION
1919 M STREET, N.W.
WASHINGTON, D.C. 20554

News media information 202 / 254 7674
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202 / 632-0002

1421

Report No. MM-98 MASS MEDIA ACTION December 10, 1985

INITIAL TIME TO CONSTRUCT BROADCAST STATIONS LENGTHENED AND GUIDELINES ESTABLISHED FOR GRANTING APPLICATIONS FOR EXTENSION OF TIME TO CONSTRUCT

The Commission has amended Section 73.3598 of its rules to allow broadcast permittees 24 months to construct a television station or 18 months to construct a radio, other broadcast or auxiliary station. Instructional TV Fixed (ITFS) stations already have 18 months to complete construction.

The FCC also established strict guidelines for granting broadcast applications for extensions of time to construct. AM and FM broadcast stations were previously informed of similar criteria by Public Notice (No. 4177) dated May 14, 1984. The 1984 criteria now are superseded by the recent Commission action. The new strict standards for granting applications for extension of time to construct will not be applied to Instructional TV Fixed and International Broadcast stations.

Applications filed on FCC Form 701 for an extension of time within which to build a broadcast station or for a construction permit to replace an expired broadcast construction permit will be granted if they meet one or more of the following criteria.

1. Construction is complete and testing is underway looking toward prompt filing of a license application.

2. Substantial progress has been made i.e., demonstration that equipment is on order or on hand, site acquired, site cleared and construction proceeding toward completion.

3. No progress has been made for reasons clearly beyond the control of the permittee (such as delays caused by governmental budgetary processes and zoning problems) but the permittee has taken all possible steps to expeditiously resolve the problem and proceed with construction.

In addition, if a permittee finds it necessary to file either an application to modify its authorized, but unbuilt facilities, or a long-form assignment/transfer application, such application shall be filed within the first 9 months of the issuance of the original construction permit for radio and other broadcast and auxiliary stations, or within 12 months of the issuance of the original construction permit for television facilities.

Before such an application can be granted, the permittee or assignee must certify that it will immediately begin building after the modification is granted or the assignment is consummated. Modifications and assignment/transfer applications filed after the above time periods will not be granted absent a showing that one of the above three criteria apply, and a certification by the permitee or the assignee that it immediately will begin building after the modification is granted or the assignment is consummated. A seller must make the "one of three criteria" showing in its assignment application. Moreover, the burden to meet one of the three criteria increases as the period in the second half of the construction period term continues.

If a modification is granted, the time period allowed for construction will be 6 months from issuance of the authorization to modify or the remainder of the construction period, whichever is longer. In the case of an assignment, the time period allowed for construction will be 12 months from the consummation of the assignment or the remainder of the construction period, whichever is longer. The extension will be given subject to the condition that the modification is completed or the assignment is consummated. Failure to modify or to consummate within the time allowed will result in cancellation of the construction permit. The Commission will not entertain an application for modification or assignment/transfer filed after the expiration of the initial construction period.

The new policies for granting modification and assignment/transfer applications and applications for extension of time will apply, as will the new time periods for initial construction (Section 73.3598), to all construction permits granted after the effective date of this Order. As to those permittees holding construction permits granted prior to the effective date of this Order, they must file an application (Form 701) to get an extension, at which time they will automatically receive a first extension of six additional months up to a total of 24 months for TV stations and 18 months for radio, other broadcast and auxiliary stations. After an initial construction period of 24 or 18 months has been given, however, broadcast permittees (not International or ITFS), will be required to meet the new stricter criteria before an extension of time request is granted.

Action by the Commission December 10, 1985, by Memorandum Opinion and Order (FCC 85-647). Commissioners Fowler (Chairman), Quello, Dawson and Patrick.

-FCC-

For further information contact Freda Lippert Thyden at (202) 632-7792.

ANN HODGES

Low-power station Ch. 5 sets dials for high-energy video feast

Scott Michaels, a full-time VJ, and Betsy King, a featured VJ, are two of the young personalities that will try to make Ch. 5 a hit.

On-air personalities at new KOSHU include, seated from left, E.J. Thacker and Lis Kueck; second row, from left, Betsy King, Karen Heller, Robin Craig and Cassandra Kulp; back row Chris Kinkade, Greg Johnson, Scott Michaels, Panama Crawford and Eric Frontera.

A new TV entry takes its place on Houston's tune-in dial this week, and a new era in TV technology begins.

It's a first-of-a-kind low-power station, with the first-of-a-kind call letters of KOSHU.

Ch. 5 is the place, and round-the-clock Top 40 video in stereo is the program format.

Barring unforeseen technical difficulties, Ch. 5 is targeted to sign on at 6 a.m. Monday, the first VHF low-power station in any major market in the country.

Constance J. Wodlinger is the owner who put it all together and will run the show. And that's a first, too. In television, female owner-operators are a rare breed, indeed.

Ch. 5 is owned by Wodlinger Broadcasting, and that Kansas City firm is now moving offices to Houston.

Wodlinger — Connie, as she likes to be called — is president, her husband Mark is chairman of the board, and this is their first TV station.

"We are pioneering in Houston, and it's very exciting for us," says Connie. "There are no prototype (low power) stations anywhere else. A lot of our equipment had to be specially designed."

The broadcasting industry is keeping an eye on what happens here.

There aren't many low-power stations at all in the country, and the few that are on the air are in much smaller markets.

Also, the format is something new. Ch. 5 is the second commercial station in a major market to try all music video. Boston's Ch. 66, a full-power UHF, was the first, and it's reportedly alive and well.

Connie herself will do the on-air honors for the Ch. 5 opening.

After her brief hello to Houston, it'll be straight to business, and that business is radio on TV.

Ch. 5's slogan says it all — TV5 Houston Hit Video.

That's because Houston already has "a very good selection of TV," Connie says. "So we felt we should offer something very different in this market."

From two small studios on the 35th floor of the Allied Bank building, Ch. 5 will beam Houston's own version of MTV, with local VJ's to introduce the tunes.

Those on-air personalities were picked in videotape auditions, from about 1,000 applicants.

The stars are the full-time VJs. They'll do the bulk of the 24-hour broadcast schedule.

They include Scott Michaels, who came down from the Wodlinger's Kansas City radio station to help get Ch. 5 on the air, and two Houstonians, Chris Kinkade and Mindy Mikels. They've done some modeling and some acting but have no previous TV experience.

There's also a staff of featured VJs. They're part-time employees, and they'll be featured in hourlong shows of their own, staggered through the schedule Monday through Friday.

Everybody in that group calls Houston home, except Panama Crawford, who's from Pasadena. Crawford is a computer expert and works in a big law office.

The others are mostly recent college graduates, some of whom did a little radio while they were in school. Their outside-broadcasting jobs range from bartender or waitress to office clerk and finance company.

That group includes E.J. Thacker, Lisa Kueck, Betsy King, Karen Heller, Robin Craig, Cassandra Kulp, Eric Frontera, Greg Johnson and Crawford.

The music they'll be presenting, Connie says, is similar to what you'd hear on Wodlinger radio stations, which are similar to Houston's KKBQ. That station plays Top 40 hits on AM and FM.

All Ch. 5 programming will originate in the studios, and the format is targeted to day parts, as in radio.

Because Houston's population skews young, Ch. 5's music is geared to ages 16 to 44.

There are already several hundred music videos in the Ch. 5 tape vault, with more coming in every day — sent gratis from just about every record label, except CBS.

CBS Records is now charging a fee for the broadcast use of its videos, a new business practice that has TV's music programs up in arms.

Connie is currently in negotiation with CBS Records, but even without them, Ch. 5 staffers assure, there's still plenty of music video to fill 24 hours of TV time.

Top 40 isn't the only leaf that Ch. 5 is taking from radio's book.

Ch. 5 is also going heavy on contests and promotions.

"We'll be very aggressive with that," says promotion director Priscilla Patterson.

For openers, for example, "We'll give away trips and tickets to July 13's Live Aid Concert — the Philadelphia show, that is."

Priscilla is formerly assistant promotion director of Ch. 20.

John C. Jones, formerly of the Rusk Corp., owners of KTRH, is Ch. 5's sales manager.

Ch. 5's transmitter is atop Allied Bank Plaza, and with 19.5 ERP (effective radiated power), the maximum allowed by the FCC's low-power regulations, Ch. 5's signal will reach any antenna-equipped set within a 15-mile radius of downtown and near town.

Ch. 5 chief engineer Keith McClanahan (formerly of Ch. 13) predicts it may make the whole Metropolitan Houston area.

Cable viewers won't get it, though. Ch. 5 is not on local cable systems now, though some predict it will be before long.

Under present rules, cable systems have to carry full-power commercial stations in the hometown area. They may carry low-power stations if they want to, but they don't have to.

Up to now, Connie and Mark Wodlinger have concentrated on radio ownership — AM-FM stations KCCZ in Kansas City, and an FM station in Miami.

They bought their first station 12 years ago, and before that, Mark Wodlinger was with ABC and manager of the ABC-TV affiliate in Kansas City.

They now have several other low-power TV applications pending.

About the cover

KOSHU owner Constance J. Wodlinger is part of the rare breed of female television owner-operators. Husband Mark is chairman of the board of Wodlinger Broadcasting, which will try to make a success of Ch. 5, the new low-power, Top 40-video TV station.

THE HOUSTON CHRONICLE, Week of July 7 - July 13, 1985

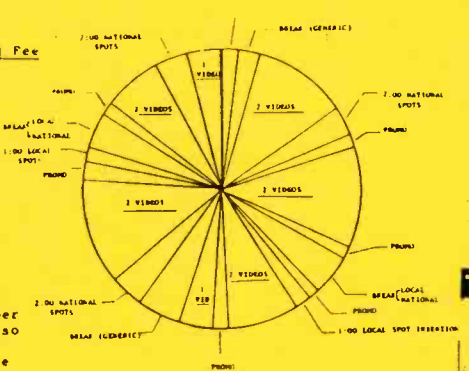
1000 Louisiana • 35th Floor • Houston, Texas 77002

TV Chronilog

Houston's TV5 coming soon
(See Pages 6-7)

USA HIT VIDEO

PROGRAM CLOCK



LPTV RATE CARD

24-HOUR SATELLITE DELIVERY

Market Ranking	Monthly Programming Fee
0-25	$ 2000
25-50	1500
51-100	1250
101-150	1000
151-200	750
Minimum	500

LPTV affiliate receives 2 minutes of local avails per hour (clock enclosed). Stop/start tone cycle is also provided in satellite feed for unattended reel to reel commercial insertion. Clearance is cancellable by either party on thirty days notice.

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Post photos by Craig Hartley

Veejays surround Constance Wodlinger, general manager of Channel 5.

TV 5, music-video channel, rocks and rolls into Houston

By KEITH WATSON
Post Television Editor

If all goes as planned, Houston's newest television station will sign on the air at 6 a.m. Monday. But the city's fifth selection on the VHF dial won't be airing the usual range of sitcoms, soap operas, detective dramas, game shows and newscasts.

Channel 5, inspired by the success of MTV, will stick with music videos, all day and all night, in stereo. The station is targeting the 18- to 35-year-old audience, says Constance Wodlinger, herself within that age group. She's 33 and undoubtedly among the nation's youngest TV station managers.

"TV 5 — Houston's Hit Video" is how the station is promoting itself. Channel 5 will air videos that might be seen on either MTV (the rock-music channel that next month marks the start of its fifth year on cable) or its sister station, VH1 (a lighter pop-music channel that was started up early this year).

"The key to the success of the station is going to be our involvement in Houston," Wodlinger says, emphasizing that the vast majority of TV 5's on-air talent hails from Houston. The initial stable of video disc jockeys — "veejays" as they're known in the industry — includes Scott Michaels, Chris Kinkade and Mindy Mikels.

A large group of on-air talent will be testing their skills with daily, hour-long shows this month. The most promising personalities within this group — including E.J. Thacker, Lisa Kueck, Panama Crawford, Cassandra Kulp, Betsy King, Greg Johnson, Eric Frontera, Robin Craig and Karen Heller — will be offered more substantial time slots in the future, station officials indicate. Less vibrant veejays will be weeded out.

A handful of Houston deejays will also have hour-long shows. Doc Kilgore of KMJQ-FM (Houston's No. 1-rated radio station) will appear on TV 5 each week, as will Hollywood Henderson of KKBQ-FM, Garth Hemp of KSRR-FM and Bobby Duncan of KLOL-FM.

Wodlinger also plans to hire a local Rona Barrett-type reporter who can keep up with local entertainment news. A phone bank will be set up to take requests, making Channel 5 a more localized music service than MTV.

MTV's advantage over TV 5 is that it can offer premiere screenings of some videos, it has exclusive deals with certain record labels, and its national audience makes it easier to attract rock stars for guest appearances.

But, who knows? If TV 5 is a success, the station could lure musicians on tour for in-studio appearances. And there are plenty of performers with Houston roots who could be coaxed to be a guest host on Channel 5 while they visit their old hometown.

A clear disadvantage for MTV and VH1 is that TV 5's over-the-air signal can be received free of charge, and in stereo. Most cable companies — such as Warner Amex, which operates the mammoth Qube system in Houston — have been stalling on installing the necessary equipment needed to deliver MTV and VH1 in stereo.

As with receiving stereo FM-radio signals, consumers must have the necessary equipment to enjoy stereo TV sound. In other words, you can't just plug in your old TV set, tune it to Channel 5 and expect it to have stereophonic sound.

Houston's TV 5 is reportedly the nation's only all-music TV station on the VHF dial (channels 2-13). Boston's music-video station — Channel 66, which signed on earlier this year — has to be tuned in using the clumsier UHF dial.

Starting up a stereo music TV station is a new phenomenon in the broadcasting industry. TV 5's official call letters are KO5HU, and it's designated by federal authorities as a "low-power station," cheaper to set up and operate than full-power channels.

The signal for the Houston area's first low-power station, Channel 45, is difficult to receive in many eastern parts of the city because the station's antenna is located in Stafford.

But Wodlinger is confident TV 5's signal will be strong enough to be received clearly throughout the metropolitan area. "Strike that word from your vocabulary," Wodlinger says of the low-power tag. "Radio stations aren't judged by how much power their signal has."

TV 5's studios and offices are located downtown, on the 35th floor of the Allied Bank Building (the green-glass cylinder), and its antenna is situated atop the skyscraper. Low-power radius is 10-15 miles, and if your set is connected to an outdoor antenna, you should be able to receive the station's signal beyond that distance, Wodlinger says.

This summer has been hectic for Connie and Mark Wodlinger, who've been shuttling between Kansas City (where their company is headquartered), Texas and Florida (where they are starting up a radio station). Wodlinger Broadcasting previously has focused on owning and managing radio properties, although Mark has experience managing TV stations.

Connie Wodlinger said she's received 4,000 resumes from Houston-area residents seeking employment at Channel 5. "We've been overwhelmed by the enthusiasm of the applicants," she said. "There's an openness and excitement here."

Wodlinger decided to have Channel 5 sign on the air in the summer partly because out-of-school students would have more opportunities to tune in the station. Going on in July also enables TV 5 some time to build up momentum before autumn arrives, a time of heavier TV viewing.

Station personnel have been scrambling to get on the air in time. The initial sign-on date was July 1, but the station just received its furniture June 27. A dry run was scheduled 24 hours a day over the extended Fourth of July weekend.

With the hurried nature of getting the station on the air, viewers tuning in this week may see a large number of technical foul-ups and on-air vocal blunders. But watching a station sign on the air, make mistakes, recover and make changes should be intriguing for Houston viewers, especially those who are thoroughly bored with summer reruns.

Wodlinger senses "an openness and excitement here."

On the cover: TV 5 is cruising into town with music-video performers like Lionel Richie, Cyndi Lauper, Bruce Springsteen, Phil Collins and Madonna. Post illustration by Court Smith.

December 2, 1985
HOUSTON BUSINESS JOURNAL

Hit Video USA will have an annual expenditure of $1.2 million alone just for use of RCA's Satcom IV satellite to beam the music videos and advertising to viewers.

Wodlinger Broadcasting took off financially in 1977 when the Wodlingers were paid $5.1 million for a radio station acquired for only $200,000 about 13 years earlier. Today the company owns stations in Kansas City, Miami and Leavenworth, Kansas.

The parent firm is profitable, says Constance Wodlinger, but TV 5 isn't. Normally it takes about three years for a new station to break even.

If the early launch of Hit Video USA appears risky, it won't be a first for the Wodlingers. When they purchased that Kansas City station for $200,000, borrowed from the bank, the station ranked 22nd in a field of 22 broadcasters. When they sold in 1977, it ranked second. ■

Hit Video USA

Hit Video USA came on the F4 transponder 18 on December 16, almost one week after Odyssey music network shut down on the same bird (different transponder). Wodlinger cleared LPTV stations for 30 days use and have now sent out the rate card reproduced on the opposite page. The two local Houston newspapers both featured the channel 5 start-up on the cover the same week and two-page articles reproduced here from the publicity Wodlinger sends to LPTV operators. Originally, they had apparently not planned to go on satellite for 18 months. They have a lawsuit against MTV for monopolizing music video availability with exclusive contracts with the record companies.

Editorially, we find paying for this or any LPTV network service out of line. NBC, CBS and ABC supply network programming to affiliates who not only do not pay for it, they get paid a small amount. Here is a service which is ad-supported, is not as good, that wants me to pay big bucks for carrying it and their ads getting viewers. My view is we do not pay unless there is no other service available. If they did not carry ads, that would be a different story. Instead, they give me less local commercial time than other satellite services that are free. For information, contact Hit Video USA at (713) 650-0055.

LPTV:

QUEUING UP FOR A LONG SHOT

Five years after its debut, low-power television is up and crawling. As of September 1, 1985, only 109 stations had been licensed in the continental U.S. (and 211 more in Alaska), though niches exist for perhaps 4,000 such stations. Virtually everyone who has ever been—or never been—in the broadcast business seems to be clamoring for a license—40,000 applications have been filed to date, with perhaps as many more to come. But the FCC has plodded through the grants process as if there were no need to hurry.

Low-power came into being in 1980 to provide service within a relatively small radius on channels where regular full-power TV stations would not or could not be established. (Such vacant channels are common because full-service stations are separated by prescribed differences to avoid interfering with one another.) The idea caught the public imagination, and the FCC was quickly buried beneath 5,000 license applications. Not until September 1983 did the commission hold its first lottery for the licenses; the backlog of applications has reached as high as 28,000.

The LPTV stations now in operation "are not cutting a fat hog financially," says Ellis Feinstein, a major antenna supplier. "People don't realize how hard it is to get a [low-power] signal into the home." Byron St. Clair, who manufactures transmitters, agrees that low-power broadcasters are now beset with problems, but takes a sanguine view of the future. "This is a specialty business," he remarks. "You have to elbow your way in and change people's viewing habits."

Low-cost LPTV is an art in itself. Harlan Jacobsen started a station in Sioux Falls, South Dakota, in the same building in which he runs a retail video store. "People ask me how many employees I have. The answer is, 'None.' Nobody even has a key to the transmitter." Jacobsen takes a 24-hour music service from a satellite and runs it unattended. Jacobsen says his costs run to $135 a month, while the ads he runs for his video store increase sales by $2,000 a month.

Most LPTV operators are unable or unwilling to treat their service as casually as Jacobsen does. It has turned out to be an arduous if often exhilarating business, demanding large expenditures of time and money to attract not only viewers but advertisers and investors. One company, Low Power Technology Inc. of Austin, Texas, raised more than $2 million through an over-the-counter stock offering, and found that the sum sufficed only to activate two substantial LPTV stations, in Anchorage, Alaska and Lawrence, Kansas. The stations have local studios, and employ local hosts to play music videos. Each maintains production facilities for local spots and a sales force to sell advertising.

Most low-power operators, like broadcasters generally, can expect mounting losses for the first two or three years. The prospect of hardship, as well as of entanglement in a bureaucratic thicket, has already discouraged a generation of would-be operators. But a new generation, remarkably enough, is emerging in its stead. As many as 1,000 stations are likely to have blossomed by the end of the decade.

MICHAEL COUZENS

The stations "are not cutting a fat hog financially." Yet the FCC has received 40,000 applications.

INDEPENDENT STATIONS:

THE POWERS THAT MAY BE

Commercial broadcast television is no longer the private reserve of three giant companies. The dominance of the networks has been eroded by the popularity of cable, pay cable, and the VCR; but perhaps the principal agent of change today is the emergence of the independent, or unaffiliated, television station.

The number of independent stations has grown with incredible speed—from 73 in 1972 to 230 in 1985. And, owing to profound changes in marketing and programming, even the long-established independents have experienced increases in ratings. In 35 large markets surveyed by Nielsen, the independents' share of the 24-hour viewing audience has increased from 17 to 22 percent since 1972, while the network share has dropped from 75 to 63 percent. (The networks do not lose as many viewers in smaller markets, where independents are fewer and weaker.)

The independents have made their headway in the face of an extreme economic mismatch. Networks have the wealth to underwrite programs that will attract the largest audience, and they pay their affiliates for airing their programs. Independents have to shop for every program and then shell out money for the rights. Network affiliates have "availabilities"—commercial slots—that are presold to advertisers through an avalanche of network hype. Independents must go out and hustle to fill their accounts. And the 85 percent who broadcast on the weaker UHF frequencies suffer the additional disadvantage of lesser audience reach.

MARKETPLACE: Given these problems, how did the independents manage, by 1985, to rack up as much combined audience share as a Big Three network? Part of the answer is a marketing tactic: They specialize.

John Douglas and John Rohrbach started Channel 48, KSTS-TV, in 1981. The station was licensed to San José, the largest city in the sprawling San Francisco/Oakland/San José "Area of Dominant Influence." The market was already teeming, with seven independents and three affiliates.

"We hoped to get a network affiliation," Rohrbach recalls. "No luck. Then we were running subscriptions in the evening with the STAR network. It failed. But we were getting good response from a local business-news program in the morning. We just sort of evolved into a business-news station." Now KSTS schedules Financial News Network all day until 6:30 P.M., with a stock market ticker running across the bottom of the screen. In the evenings KSTS offers syndicated or local business programs, computer shows, and ask-the-expert "infomercials."

One of its competitors, Channel 20, KTZO San Francisco, lavishes a small fortune on *Dynasty* and the like, and seems to be a conventional big-city independent. But the station's owner-manager, Jim Gabbert, speaks the language of specialization. "We are shooting for a demographic—adults 18 to 49." Gabbert argues that advertisers are now as concerned with specific demographics as with gross ratings. And KTZO has tailored itself to its target audience. The station has no newscast and no pro-sports package; what it does have is the area's first stereo broadcasts, as well as a strong identity secured by giveaways, bumper stickers, and even station IDs starring viewers' dogs.

Many independents with specialized formats have something else as well—local flavor. Especially in small markets, they emphasize local news and concerns. Even a music-video station on the outskirts of Boston, WJVJ-TV, works to give a neighborly impression by offering sports scores, news, and weather.

Meanwhile, independents are

relying less and less on off-network reruns and movies. Cheap satellite transmission offers an unprecedented variety of material, while serious and costly efforts to create original programming have won over advertisers as well as viewers. Solid programming delivered to a large body of independents via satellite can create the sort of national network that advertisers demand.

Ninety-five independents, whose signals reach 85 percent of American television households, have purchased a two-hour block of information-oriented programs, including a news show and a *Lifestyles of the Rich and Famous* clone. The $25 million effort, called Inday, is a co-venture of some very big players—LBS Communications, Tribune Broadcasting, and Columbia Pictures Television. In the fall of 1986, a group of stations covering at least 65 percent of households will begin airing the animated series *Ghostbusters*.

Few of these arrangements challenge the Big Three in prime time. Rather, they nibble away at time blocks—weekend, late night, "early fringe," or "the prime time access" period—in which the networks earn relatively weak ratings or leave the programs for local affiliates to arrange. Nielsen estimates that independents increased their share of daytime viewers 58 percent from 1972 to 1985.

Emergence from the ranks of independents of a full fourth network—or a fifth, or a sixth—has long been a favorite subject of industry talk. Developments of the past year have caused the chatter to turn more serious. In 1985, KTLA, Channel 5 in Los Angeles, was sold for $510 million, the largest sum ever paid for an independent station. The buyer, Tribune Broadcasting, already owned two of the strongest VHF independents of all, WGN (Chicago), and WPIX (New York), as well as the syndicated INN news service from WPIX. And when Rupert Murdoch bought Metromedia for $1.5 billion (and then, for another $325 million, the half of Twentieth Century Fox that he didn't have already), he suddenly owned the second-largest non-network group (after Tribune), plus a powerful producer.

REGULATION: In increasing the number of TV stations a single operator is allowed to own from seven to 12 (so long as they don't reach more than 25 percent of the TV households), the FCC may have altered the landscape of independent television. Tribune and Murdoch may have been the last major consolidations; or they may be the first, as other corporate giants jockey for networking possibilities.

Also in 1985, the U.S. Court of Appeals tossed out the FCC's "must-carry" rules, which obliged cable systems to carry their local broadcast stations. For Preston Padden, president of the Association of Independent Television Stations, a feisty trade group, the court's decision is a disaster. "If you believe that handing a competitor control over access to your market can do any good," he says, "that just strikes me as naive." But at least some independents, particularly those with secure cable connections, are saying that the demise of "must-carry" may give them more room, if duplicated network affiliates are bumped off.

The independents' boom can't last forever. Even the trade group predicts that their share of spot-ad revenues will remain fixed at 23 percent between 1985 and 1990. And the growth of cable presents a challenge that cannot be ignored. Ted Turner, who was among the litigants opposing "must carry," created a network reaching 35 million viewers—WTBS—without benefit of the broadcast system. It may be that the most serious challenges to network hegemony will arise from combines like Turner's WTBS and MGM/United Artists, or even from a hybrid—for example, a cable production with independent distribution. The game, in any case, is wide open.

MICHAEL COUZENS

THE POWERS OF TELEVISION

The FCC set off a wave of television station acquisitions with a new rule allowing a single company to own as many as 12 stations providing they reach no more than 25 percent of American television households. These are the major group owners, the percentage they reach, and the numbers of stations:

1. Capital Cities/ABC	24.4%	7 VHF, 1 UHF
2. CBS	20.6%	5 VHF
3. NBC	19.8%	5 VHF
4. Tribune	18.6%	4 VHF, 2 UHF
5. Fox Inc.*	18.1%	4 VHF, 2 UHF
6. KKR (Storer)	13.7%	7 VHF, 3 UHF
7. RKO	13.5	3 VHF
8. Taft	11.1%	8 VHF, 4 UHF
9. Chris Craft Industries	10.4%	5 VHF, 2 UHF
10. Group W	10.1%	5 VHF
11. Gannett	9.2%	5 VHF, 1 UHF
12. Cox	8.1%	5 VHF, 2 UHF
13. SIN (Spanish International Network)	7.6%	5 UHF
14. Gaylord	7.1%	4 VHF, 3 UHF
15. Hearst	6.9%	6 VHF
16. Belo Broadcasting	5.7%	5 VHF
17. Scripps Howard	5.0%	5 VHF, 2 UHF
18. Outlet/Rockefeller	5.0%	5 VHF, 2 UHF
19. Post-Newsweek	4.7%	4 VHF
20. Times Mirror	4.7%	5 VHF, 2 UHF

* Formerly owned by Metromedia, now owned by Rupert Murdoch.
Chart compiled by Rebecca Turner • Source: *Broadcasting*, May 27, 1985

With canny marketing, stronger shows, and financial muscle, indies are making a run for the numbers.

New music video channel hits MTV with lawsuit

By MORRIE GELMAN
Los Angeles bureau chief

A low-power TV station, on the air only since July 12, is already challenging the national MTV cable network both in court and with a competing satellite-delivered national music video program service.

According to a spokesman for Wodlinger Broadcasting Co., which owns the Houston LPTV, the new national program service will be marketed as Hit Video USA. It will start challenging MTV as of Dec. 16.

Company officials say they want to break what they claim is MTV's domination of the music video business.

The new service hopes to be all advertiser-supported, although at this stage it has no clients to report.

It will be transmitted unscrambled by RCA Satcom IV and offered free of charge to any dish owner, including cable systems, over-the-air broadcasters, satellite master antenna TV systems, and commercial and residential dish-receiver owners.

On Oct. 16, Wodlinger Broadcasting Co. filed a $205 million antitrust suit in Houston federal court against MTV, charging monopoly of the music video business.

The principal argument is that MTV's exclusivity contracts with most major record companies denies competitors access to product.

More specifically, Wodlinger, which also owns and operates radio stations in Kansas City, Miami and Leavenworth, Kan., alleges that its KO5HU, Channel 5, is prevented access to some music video product by the Warner Amex cable system in the market.

MTV is a programing service of MTV Networks, of which Warner Amex Cable is a principal owner. MTV Networks also owns and operates Nickelodeon and a second national satellite-delivered music video program service, VH-1.

Hit Video USA is being planned as a natural extension of the local program service currently offered by the Wodlinger LPTV station in Houston. The music format, created by Mike Opelka, program director of the LPTV station, calls for around-the-clock contemporary hit music.

Mr. Opelka says the national service will be more generic than the one offered strictly for Houston viewers. Generally, programing will include artist profiles and interviews, concerts, top 10 countdowns and music and entertainment news.

There will be six minutes of national commercial availabilities each hour and two minutes an hour available for local stations or cable systems.

The Houston LPTV currently is only being carried by three small local cable systems. Mr. Opelka claims the station's over-the-air signal reaches virtually the entire metro Houston market. Including the cable coverage, he estimates the station's signal currently can reach 1.2 million homes.

He points out, though, that some of these homes are cabled and are affected by the Houston interconnect, which he says Warner Amex controls.

"This means," he charges, "we're precluded from being offered on the largest cable systems."#

All Music TV Network From Houston

Wodlinger Broadcasting Company, as mentioned in an article last issue, launched "Hit Video USA" on December 16th, a new national satellite network featuring 24-hour mass appeal music video programming.

Hit Video USA transmits via Satcom 4 satellite to cable systems, SMATV's (satellite master antennae systems) and commercial and residential dish receivers, as well as LPTV's.

Houston's four-month-old TV 5, a low power station, is the flagship affiliate of Hit Video USA, both of which are owned by Wodlinger Broadcasting Company. The new network competes with giant MTV, owned by Warner Communications and the American Express Company. Satcom 4, owned by RCA Corporation, is one of several entertainment satellites now in orbit.

Constance J. Wodlinger, president of WBC, said Hit Video USA offers "a unique new mass appeal music format created by program director, Mike Opelka, called Contemporary Hit Video (CHV)." Programming includes artist profiles and interviews, mini-concerts, "top 10 countdowns" and music/entertainment news.

The Hit Video USA network generates music programs 24 hours per day, seven days a week through its affiliates. TV 5 in Houston is the only commercial VHF station in a major market to broadcast all music video.

"We are committed to offering the national audience a distinct alternative in music video entertainment," Wodlinger, the only woman chief executive officer of a national satellite network, said. The 13-year veteran of broadcast management and ownership restated her firm's determination to break what she called absolute domination by MTV of the music video industry.

Wodlinger Broadcasting also owns and operates radio broadcast properties, including KZZC-FM in Kansas City; KCLO-AM in Leavenworth, Kansas; and WCJX-FM in Miami, Florida.

Constance Wodlinger is president and chief executive officer. Veteran broadcaster Mark L. Wodlinger is chairman of WBC. WBC is wholly-owned by the Wodlingers.

For more information on carrying their programming, call (713) 650-0055. LPTV programmers searching for a network source when the Odyssey music network folded in December have been told they are welcome to carry Hit Video USA for 30 days without a contract. They will be putting together paperwork in the meantime.

LPTV

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CURRENTS

DATELINE: Washington, D.C.
By: Richard G. Hutcheson, III, President
American Low Power Television Association

LPTV And Congress:

The Low Power Industry Fights For Cable Access

The NILPTV has coordinated its efforts concerning bill H.R. 5949 with ALPTA and other groups. NILPTV requested an opportunity to testify before the joint House-Senate Committee reviewing the bill. When Richard Hutcheson's request to testify was granted, we coordinated our efforts and filed jointly before the Committee. The Institute plans on taking an active role in any future legislation on the must-carry legislation. John Reilly

The low power television industry is a player which must be reckoned with in future deliberations by the Congress on telecommunications issues. This is the principal lesson to be learned by all parties as a result of the active role played by LPTV representatives in recent Senate consideration of H.R. 5949, the Cable Copyright Bill.

As reported in the November, 1982 issue of *Currents*, the cable carriage provisions of H.R. 5949 posed a serious threat to low power TV stations as they begin broadcasting in many communities. The bill instructed the FCC that it could not — under any circumstances — require the carriage of any low power TV station on a cable system. The practical impact of the bill would have been to shut low power stations out of cable systems in many of the markets served by both. This can have a serious impact on the economic success of many LPTV stations, as some low power broadcasters are already discovering.

Davy Doss, President of W07NB, Channel 7 TV serving Bruce, Mississippi, is carried by the Bruce cable system, but not by several other cable systems serving communities within range of the station. Although Channel 7 is signing up local advertisers at an impressive rate, a number of advertisers have made their business contingent upon Channel 7's ability to get into all of the cable homes in the community.

David Putnam, who will soon be debuting Channel 31 in Roseberg, Oregon, faces a similar problem. In his case, he has secured access to some cable systems in the area, but not to the Roseberg system.

As more and more LPTV entrepreneurs receive construction permits in 1983, the issue of requiring access by low power TV stations to local cable systems in communities served by both will become an increasingly significant problem. H.R. 5949 not only did not extend must-carry protection to low power stations, but even tried to strip away from the FCC the Commission's authority to consider extending some form of must-carry protection to low power systems in the future.

Evidently, the principal backers of the bill, the National Association of Broadcasters, the National Cable Television Association and the Motion Picture Association of America figured that they had better exclude low power TV from the bargain before LPTV gets big enough to demand a seat at the table. The bill's authors also attempted to strip away the FCC's ability to grant must-carry protection to DBS, STV and other developing communications technologies.

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THE LOW POWER INFO LINE

Million Dollar Boost for LPTV

The National Telecommunications and Information Administration is proving to be a big benefactor of Low Power Television. This year thus far, it has disbursed over $1 million in grants to help establish non-profit stations: this coming from a $14 million budget. The NTIA grants cover 75% of start-up costs with the remainder being raised by the applicant. Next year is hoped to be even a bigger one as NTIA will be increasing the time limit on applying and will send out program officers to assist applicants. For more information on the next grant cycle, contact the Facilities Program at (202) 377-5802.

NILPTV Board News

Ben Avery, formerly Deputy Director of Broadcast Services at Associated Press, has recently moved to Washington, D.C. where he is now Vice-President of Station Relations at Mutual Broadcasting System. In accepting his new position, Mr. Avery had to resign from the NILPTV Board of Advisors. We would like to thank him for the last 10 months of service and wish him the best of luck with his new job. Mr. Avery is being replaced by Ed Staats and we look forward to continuing a fruitful relationship with him.

Thinking Teletext

One of the options for programming that a number of low power owners are considering is teletext. Rather than transmitting film or video, the teletext station would offer its viewers a few hundred pages of information that could be randomly accessed containing news, ads, weather, a yellow pages type of service or any combination of such data. This means that the home that has a teletext-equipped set would receive a remote control handbox that could scan the entire selection of teletext pages for the specific information wanted.

The only research in and experience with this new service has been over cable television. Opinion seems to be that a 24 hour low power television teletext might seem to be risky. If alternated, however, with a movie or a news programming service, and the content is selected with a scrutinizing eye for pertinence (for example, ads inserted into a yellow pages format that change with retailer's needs), LPTV teletext could prove to be a viable format. Consideration of the audience size and the quality of picture resolution should lastly be given according to both Lawrence Blasko, AP's director of information technology, and Peter White, editor at Keycom, a teletext system modeled after British Ceefax. However, a Corporation for Public Broadcasting study found that 80% of the viewing public would be quite interested in a helpful teletext service, and that about half of those would be willing to pay up to $200 for an addition to television sets that incorporated the new technology.

Clint Ober, owner of seven LPTV stations in Wyoming and Montana, is launching the most ambitious Low Power test to date. In a joint venture with Tele-Communication Inc. (TCI), a large Denver cable multiple system operator, Mr. Ober is planning to feature half-hour segments of CNN Headline News that will surround a national and local teletext news and weather service. The bottom third of the screen will be reserved for advertisers. The local news will be provided by the staff of the local (Cody, WY) newspaper. Ad rates will be significantly lower than anywhere else in the area, Mr. Ober promises. Let's wish this Rocky Mountain Westerner the best of luck.

Ch. 33 On-The-Air in Concord, VA

"Make sure your encoder/decoder equipment will get the job done!" That's the word from Paul Passink, owner of LPTV Channel 33 in Concord, Virginia. Mr. Passink has been on the air for a few months now broadcasting SelecTV to a non-cabled area and has been suffering through a 40% decoder failure rate. His suppliers would tell him that his receiving disk was too small and that he had the wrong kind of equipment, but after a thorough check-up by Blonder-Tongue said otherwise, he began to suspect the decoding equipment itself. People in Concord are begging for his service, Mr. Pessink says. The subscriber minimum of 200 that SelecTV requires would be absolutely no problem, if not for the decoder problem. The nearby Lynchburg Sunday paper ran a full-page story on his venture and word-of-mouth seems to have quickly gotten around. However, he is having to reassess his initial plans. If he cannot purchase new decoding equipment within the limits of his budget, he will have to start a brand new ballgame of playing with an advertiser-supported programming service. Mr. Passink seems willing to offer advice to other LPTV pioneers, so if you might have some questions, please drop him a line at Channel 33 Television, Concord, VA 24538.

Where Are the CP's?

By: David Smith

If you're like Chuck Wilkerson, President of the Genesis Network, you are concerned about the lack of CP's that the FCC has recently granted. Mr. Wilkerson says that "we will all be hurt" if things do not start moving at the pace that both the Broadcast Bureau and the Senate Subcommittee on Communications had earlier implied.

Marshall Carpenter, President of Neighborhood TV, is somewhat more explicit about matters. "It's one great big mess and I'm not sure what the FCC is doing to resolve it," he told us in a recent telephone interview. He characterized the Commission as being "paralyzed" on the whole procedure. Mr. Carpenter is hoping at the least for a new sense of direction based upon the upcoming petition for reconsideration.

Molly Pauker at the Broadcast Bureau is asking patience on the part of LPTV applicants. She says that they have been swamped with more applications than they had dreamed possible, and she feels that the staff is making a monumental effort and progressing adequately with their work. Ms. Pauker said that many applications have not been detailed enough in their engineering sections, and that there are many complex interference relationships that have to be closely examined. However, she wants everyone to know that the staff training sessions for processing are coming along well, and that the computer should be on-line earlier than previously anticipated. In a similar vein, Tom Rodgers, at the House Telecommunications Subcommittee, believes that once the lottery is implemented, things will have to greatly accelerate.

Other applicants have been calling and writing *Currents* expressing their concern that

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DATELINE: New York City
By: Dr. George Back

Programming Sources For LPTV

Dr. George Back is President of All-American Television, a program syndication company. He served as Executive Director of NATPE from 1980-1982 and now continues his association with NATPE as a government relations consultant.

Although I believe that LPTV will need to set up its own programming apart and different from full power tv, it may take several years to set up production and syndication of programs that are structurally different in terms of production, style, and content. In the interim period, let me tell you where traditional tv programmers get access to tv programs.

The National Association of Television Program Executives (NATPE Int'l - 212/661-0270) will hold their annual convention from March 18-23, 1983, at the Las Vegas Hilton. (This *is* a commercial.) It is the largest exposition of programming content in the world, so that if you are looking for traditional programming go to NATPE, but Be Prepared — Be prepared to *educate*. As much as you would like to buy, you must first educate, because you will quickly find that the syndicators and producers and distributors do not understand the nature of the LPTV animal. From a state of knowledge and awareness, the syndicators and distributors and producers of the country are very unaware about what you're doing and don't rank you as a market yet. If you don't educate, you're going to find yourself in the middle of a discussion on apples and oranges.

Another group you should be familiar with is the Association of Independent Television Stations (INTV 202-887-1970). They have a convention this January 15-19 at the Century Plaza Hotel in Los Angeles, where there will be a program exhibition and discussions on those things pertinent to independents. And if some of you intend to become full-service independent operators in small markets, then you might go look at what the big boys are doing with full signals.

What you will find is that TV programmers are tied to Hollywood. But I suggest you don't make the Hollywood Connection. In fact, I think it would be a big mistake for LPTV to go in that direction. Avoid it, if at all possible, because I don't think you're going to do a lot of business with the major Hollywood producers. I don't think they need you and I'm not sure what you want from them to begin with.

I can show you programs that have been produced on low budgets in broadcast markets in major cities. The first time I brought this up at a NATPE convention I drew laughs – "You can't do that!" Well, you can't do that if you really want to play this game of "Network or Hollywood Quality." But I say don't get involved in this quality discussion; it is a bogus discussion perpetrated by the television networks and Hollywood studios to maintain planes and costs of production at their levels, to that specific industry. Try to achieve *your own* look and atmosphere based on what *your* goals are for *your* station and viewing audience. Hollywood is not a standard for you to follow. Realize also that LPTVs can syndicate between each other and perhaps raise significant budgets for programs.

Perhaps you will decide to duplicate the programs of other stations. I'm not sure that you could do that as well as full power stations. I'm not sure that you should even attempt it. What you might consider is Counter-Programming — because that's what you will be doing — Counter-Programming to many, many diverse viewer opportunities. You might consider structural changes. If you are a counter-programmer looking for an audience, a very simple thing begins to become apparent if you examine the television schedule. If you are counter-programming and trying to divert a portion of the audience to your signal or your station, something you might do is start your program at five minutes of the hour. You'd wreak havoc. You would then find all of the full power broadcasters moving to ten minutes of the hour, and you'd all meet each other in a year on the other side of the clock.

Structural changes, though, are the way you will make it. I don't suggest, for example, you go up in Chicago or the Chicago-area signal against WGN. What they just paid for "Little House on the Prairie" costs more than your station. You don't want to be in that kind of competition — you won't be around very long, if you do. Pay-per-view and other techniques, of course, are alternatives for you as well, but structural changes — things like getting off the clock — can get you vital tune-in and audience sampling when you get on the air.

A refreshing thing you could bring to us all would be unfairness, or reporting that doesn't need to be overall balanced. One of the real bugaboos that makes a mollycoddled, soft-milled position of most television reporting is that they have to give you both sides — in two minutes. So what you get is a glimpse of milksop news. I would urge you to break away from that deadly pattern. For example, you should consider in-depth reporting in your local news. You can out-local your local TV station competition. State what you feel and offer an appropriate forum for opposing views. Structurally you will be changing the way broadcasters have involved themselves in local affairs.

One thing existing in every one of your communities (certainly as the adjunct television community), which is an enormous help to you, is the Ascertainment Procedure. Every licensed TV commercial broadcaster in the country is supposed to have gone through a lengthy Ascertainment Procedure in which he/she goes through their community and determines all the segments of that community and who they have to publicly serve. They then usually make one talking-head program for Sunday morning which tries to reach all groups, at one time. That's a hard thing to do. But that is a public file; that Ascertainment analysis is available to you. And from that report you may be able to draw a profile of those segments of your viewing audience who are not being served by the traditional broadcasters. These groups would represent a counter-programming audience that already exists in your area. The Ascertainment analysis *and* that counter-audience are two important elements for

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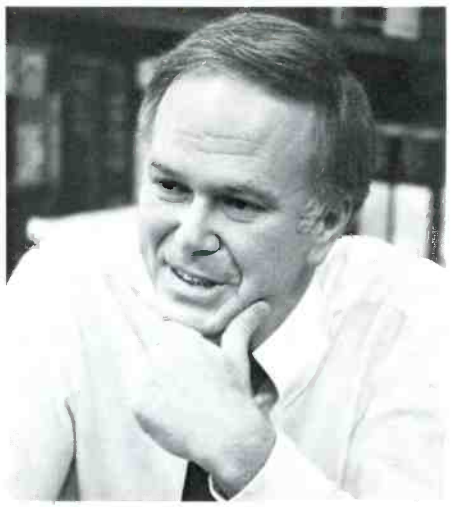
As those of us who are active in the low power TV industry became aware of the damaging provisions of H.R. 5949, as passed by the House of Representatives, we began to voice our objections to the must-carry provisions of the bill. With the strong support of John Reilly, Director of the National Institute for Low Power Television, I request an opportunity to testify on the legislation prior to Senate consideration, speaking for the American Low Power Television Association, which I head, and other organizations concerned about the welfare of LPTV, such as the Institute. The National Translator Association, which has been an active fighter in behalf of LPTV in many instances, did not take a position on the Cable Copyright Bill.

Ironically, H.R. 5949 included a must-carry provision for purse translators, which are limited to echoing imported television signals, but failed to extend such protection to LPTV stations, which cannot only import programming from a variety of sources, but also originate programming of direct interest to the community being served.

Ultimately, joint hearings were held before the Senate Commerce and Judiciary Committees on December 3, 1982, and the low power television industry was permitted a chance to testify on H.R. 5949, along with 20 other witnesses representing various groups similarly dissatisfied with the legislation as it emerged from the House of Representatives.

The very first question of the day, directed by Commerce Committee Chairman Robert Packwood to Congressman Robert Kastenmeier, the bill's author, hit the principal concern of the low power TV industry on the head. Senator Packwood expressed concern that providing mandatory carriage on cable systems to full service television stations but not to low power stations would have the effect of squeezing local LPTV stations off cable systems. Packwood questioned whether this was fair. Congressman Kastenmeier stated that it was fair to the existing players, but acknowledged, by implication, that it was anything but fair to the new low power broadcasters.

In my testimony, I dealt with the same issue. Although some low power operators have and will continue to be able to bargain their way into local cable systems, because of demand among cable subscribers for the local programming being offered by the LPTV stations, low power operators are nonetheless at a considerable disadvantage in gaining access to cable. A full power broadcaster gets on cable automatically; the low power station has to scrap for one of the leftover channels.



In my view, must-carry protection should be based on the nature of the television service being offered to the community, not the wattage of the television signal. I predict that the low power industry will continue to fight for guaranteed access to local cable systems until we obtain fair treatment — either must-carry protection for low power, or an ability to compete for channels on an equal footing with full power broadcasters.

As this issue of *Currents* was going to press, the Senate Commerce and Judiciary Committees were scheduled to begin mark-up of the bill. The bill's fate was in doubt. How-

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JPD
ENTERTAINMENT

JAMES PATRICK DEVANEY
President

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December 28, 1982

Dear LPTV Station Owners,

Congratulations on receiving your construction permit for your LPTV station.

Every station needs quality programming to compete in today's marketplace. For this reason, we are pleased to announce the formation of the JPD TELEVISION NETWORK in association with OSMOND STUDIOS.

You will receive three hours per night of prime time programming via satellite from our home base at Osmond Studios near Salt Lake City, Utah. We will provide (with your input) marketing and advertising plans, promotional and merchandising assistance and a state of the art studio to produce programs expressly for you. We will also be offering a revenue sharing plan to our affiliated stations, whereby they participate in profits from the sales of JPD TELEVISION NETWORK programs to foreign countries, home video and other ancillary markets.

If you would like to become an affiliate or you are interested in further information regarding the JPD TELEVISION NETWORK in association with OSMOND STUDIOS, please drop me a line or give me a call. We will be presenting our complete package at the forthcoming LPTV convention in Anaheim and would like very much to meet you personally with the opportunity to screen a sample of our exciting programming ideas for 1983.

For LPTV to be competitive you need the expertise and support of your own network, while retaining your local station identity. Visit our display or see me at our hospitality suite in Anaheim and let's get together.

Sincerely,

James Patrick Devaney
JPD TELEVISION NETWORK

JPD:ds

The Pay-TV Revolution

Security & Addressability: Elements for Success

STV is a programming innovation that will be utilized by many low power television stations around the country. LPTV broadcasters who are planning to offer over-the-air pay programming should be aware of the critical success factors involved in this new delivery system. The following article, by Clarence Perr, describes Pay-TV and discusses security and addressability, two key elements of a pay operation — Ed.

What is Pay-TV?

Basically, Pay-TV is a finance system where subscribers pay directly for the service. Other finance systems for television include commercial TV, where advertisers pay in order to sell their goods and services and public TV, where governments or broadcast authorities provide the funds. It is important to understand that Pay-TV is a finance system as opposed to a distribution system. Television distribution systems include broadcasting, cable, satellite, home video cassettes, video discs, etc. Pay-TV, as well as commercial TV and public TV, can be delivered over any of these distribution systems. When the service is offered over-the-air, it is referred to as subscription television or STV.

Since the Pay-TV operator must collect fees from subscribers to finance the system, he must be able to deny program access to all non-subscribers and to non-paying subscribers. Various techniques may be employed to deny access. Some techniques are easy and inexpensive to defeat while others are virtually impossible or extremely expensive to defeat.

Security: Pay-TV systems are divided into three categories: Low, Medium and High Security systems. Since system security will be challenged at its weakest link, it is imperative that careful design consideration be given to each of the following areas: a) the signal denial techniques, b) the codes or instructions that permit system access and c) the hardware security.

The transmission of non-standard frequencies such as mid-band, super-band, microwave, etc., is one method of signal denial used by low security systems. However, simple frequency conversion defeats these systems. Another method used by low security systems is transmission of an interference carrier placed between the video carrier and the audio carrier to "Jam" the signal. In this case a simple notch filter removes the jamming carrier.

Medium security signal denial requires baseband processing in order to defeat (converting high frequencies to very low frequencies). This is typically referred to as baseband scrambling. The cost of defeating baseband scrambling is considerably more than for low security systems due to the need for specialized equipment (i.e. a tuner, demodulator, I.E. remodulator, etc.). However, once at baseband, most of these systems are quite easy to defeat. Commercially available test equipment will reveal the scrambling system employed. Reversal of this process defeats the security. The audio for medium security systems is not scrambled but is usually displaced from the normal location (i.e. on a sub-carrier or in the horizontal interval).

High security signal denial employs techniques which are very difficult and expensive to defeat. Most high security systems are based on random or pseudo-random variances and are thus virtually impossible to defeat in real time. Defeating a system using high security signal denial usually requires storing the information for later computer analysis. Typically, large mainframe computers and very sophisticated technology is required to decode each transmission. High security systems usually change key elements of the scrambling so that there is no general solution to defeat the system.

The transmitted information (codes) which instruct the decoder on how to unscramble the program must also be secure. If a secure signal denial technique is employed but the unscrambling code provides an easy method of defeating the system, then unauthorized parties need only generate the codes to make the system operative. High security coding usually involves digital data which is encrypted using a complex algorithm, pseudo-random number selection and "key" techniques. These cryptographic approaches permit very secure data transmission.

The other necessary ingredient is hardware security. If a system has both signal and code security but can be defeated by decoder modification or duplication, then unauthorized parties will either modify or build their own decoders. Tens of thousands of "official decoders" have been stolen and modified to work continuously. Their addressability circuits, which enable the system operator to de-activate the decoder, have been disabled. The decoders operate as if authorized and the users never pay. It is estimated that beween 10% - 25% of the Pay-TV viewers in the U.S. are not paying for the service.

Addressability: Since the industry has learned that some subscribers will pay for certain services and other subscribers will pay for different services, the concepts of tiering and pay-per-view have become standards of the industry. These factors together with the need for operators to be able to remotely disconnect non-paying subscribers has created a huge demand for "addressable" systems. These systems permit operators to offer multiple Pay-TV tiers and other services. It can be easily seen that the process of adding and deleting services and subscribers requires that the operator be able to control his system from the headend. Sending a service man to modify or exchange a decoder every time a subscriber changes his service is costly and very difficult. Stolen decoders must be remotely disabled in order to discourage theft. Besides permitting the operator to deal with these issues, addressing can also open the doors to new services; narrowcasting specific programs to small groups, peak power load management, disaster warnings, etc.

It is obvious that the Pay-TV industry requires reliable, state-of-the-art hardware which is economically feasible and compatible with broadcast, LPTV, cable, MDS, and satellite systems. Subscription television revenues will be a good source of financing for low power television stations and LPTV operators should make a critical analysis of the systems that are available in order to make sure that their STV operation is as profitable as it can be.

This article was based on a paper submitted to the Society of Electronic and Radio Technician for the Video Revolution Symposium in London, England. For more information on this subject contact: Clarence Perr, President, Telease Technology, Inc., 532 E. Lambert Rd., Brea, CA, (714) 529-8840.

LPTV SERVICES INCORPORATED

John Reilly, Frank Camoro and David Cheifetz proudly announce the formation of LPTV Services, Inc., a full-service communications consulting firm specializing in the research and preparation of low power television applications.

LPTV Services, Inc. special features:

One all-inclusive fee provides:

- **assistance with market analysis and site selection**
- **full low power channel search**
- **assistance in selection of transmitting equipment**
- **assistance in selecting antenna and operating equipment**
- **preparation of the FCC application including all necessary exhibits**

LPTV Services has completed a study on markets in Tier I areas and will make this information available to clients.

Other services available by LPTV Services include: Business Plans for LPTV; Programming Consulting Services; Studio and Facility Consulting; Selection and Staff Training and Post-Filing Advisory Services.

LPTV Services will draw on the considerable experiences of the three principals in the rapidly developing low power field. LPTV Services will also rely upon the finest currently available computerized data base for channel searches, terrain studies and interference analysis under the supervision of licensed broadcast engineers.

Special discounts are available for multiple filings and members of NILPTV. For further information contact:

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SEE US AT BOOTH 50

Getting The Most Power For Low Power

By: Jeffrey Nightbyrd

Low Power TV is a delicate technology. Whereas a UHF full-power station may have an ERP of one and a half million watts, a typical low power UHF station must deliver a useable signal with 1,000 to 15,000 watts. It is not an impossible job. As I explain to novices, we got a 10 watt signal from across the solar system from the Saturn probe. Of course, that Saturn probe had an antenna location with a very favorable height about average terrain (HAAT)!

In low power, each HAAT is the most significant factor in good coverage. One problem is the loss of transmitter power as it runs through coaxial cables. Without special effort, a transmission cable over 300 feet loses virtually as much as is gained from additional height.

George Townsend, of Townsend Associates, has come up with a solution — elegant in its simplicity — put the transmitter on the tower coupled to the antenna with no intervening line loss. His company will begin selling Phasestar, a micro-circuited transmitter, designed to sit on the tower itself, early next year. His projected price of a 100 watt transmitter with antenna is $36,000. That's significantly higher than the conventional approach, but for some, it may represent a savings.

In many cases a 100 watt transmitter with no line loss at 1,000 feet will deliver a better signal than a 1,000 watt transmitter at 300 feet. This is particularly true in the higher UHF channels where line loss is an increasing problem.

With a weight of only 300 lbs., Mr. Townsend suggests that in some situations transmitters can be stacked, delivering 200, 300 or more watts of output power. The Phasestar solution isn't as good as an antenna site in orbit, but it costs a damn sight less.

For more info contact: Townsend Associates, P.O. Box 1122, Main Line Drive, Industrial Park, Westfield, MA 01086, (413) 562-5055.

Jeffrey Nightbyrd is a low power television consultant and president of ATD Engineering. He can be reached at (303) 444-0011.

(Continued from page 3)

you to take a look at and consider as valuable resources toward a structurally different program schedule.

Another valuable resource in the area of buying and acquiring programming, which you should consider very strongly, is barter and trade. Since you will have, more than anything else, from the day you go on the air, a lot of unsold time, you will need a cost-effective system for obtaining your programs. Barter means we (the syndicator-distributors) take commercial positions from you, you take our show, we sell those commercial positions to a sponsor who, theoretically, is not in conflict with you, and we get our money from the sponsor and you play the show. In the early days of television stations, a lot of them traded time on the air for services and equipment. These days barter is one method you have to trade with for programs that will be good cost management when you sign on.

Because, I believe, revenue is going to be a problem for you from day one, you should explore each and every avenue open to you. Other ripe areas of revenue and programming include local news, religious and ethnic programming, and something you may not even have thought of: the traditional broadcast industry may choose to use LPV stations as test markets for its pilot programs, or national sponsors may use LPTV stations to test-market commercials.

If you sign on for local news, it should be for the long haul because it will take a while until it becomes profitable. One fact about local news, however, is that it outrates network news by about 30%, just as a local broadcast of, say, the Philadelphia Phillies far outrates the national game of the week in Philadelphia. So I suggest you go into local news only if you intend to stay with it. Don't dabble. The revenues don't come easily or quickly from news, but once it does, it usually becomes a very big portion of the station's subsistance.

With 1984 and full elections on the way, you might have a heyday if you are on the air in time for the political elections on the local level since political dollars spill over to a lot of television stations. But more important than dollar spillage is the fact that you provide *access* to the tube. You represent, to local politicians, access to potential constituents and funds.

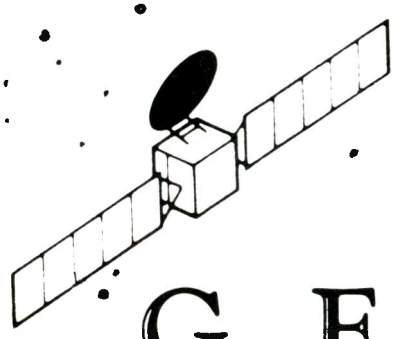
The biggest competitor you and I have, and we will always have, in my opinion, is Pac Man and Donkey Kong, and video games yet unnamed. But the important thing for us to look at in terms of these competitors is the positive benefits they bring. They break the dial-switching habits of the viewing audiences of ABC, NBC, and CBS. And to that extent, the presence of these video games will ultimately be advantageous to us because we all share a need to divert audience from those networks.

In closing, if I could reiterate the most important point I hope you will remember and carry with you to your new stations — avoid that program quality discussion. If the camera is steady and the colors are true, then I don't think you need Hollywood choreography. You shouldn't want it. I don't know what it would do for you. I don't know that you need staffs of four or five writers. I don't know that you need to go through that proverbial Hollywood "development" process. You shouldn't want to. You don't belong in that system. Also, your stations will redefine broadcast to your audience's specific needs.

In the best media guerilla sense, your station should have its own look and feel. If it doesn't, you can't expect your audience to find you. Your public will find you only if you know what you are trying to achieve and stay on that course until you achieve it.

(Continued from page 2)

the pace of CP's being granted is too slow — we will keep you informed on this matter in future issues. Please don't hesitate to give us a call here at NILPTV if you think we might know or be able to find out any such legislative-related questions you might have.



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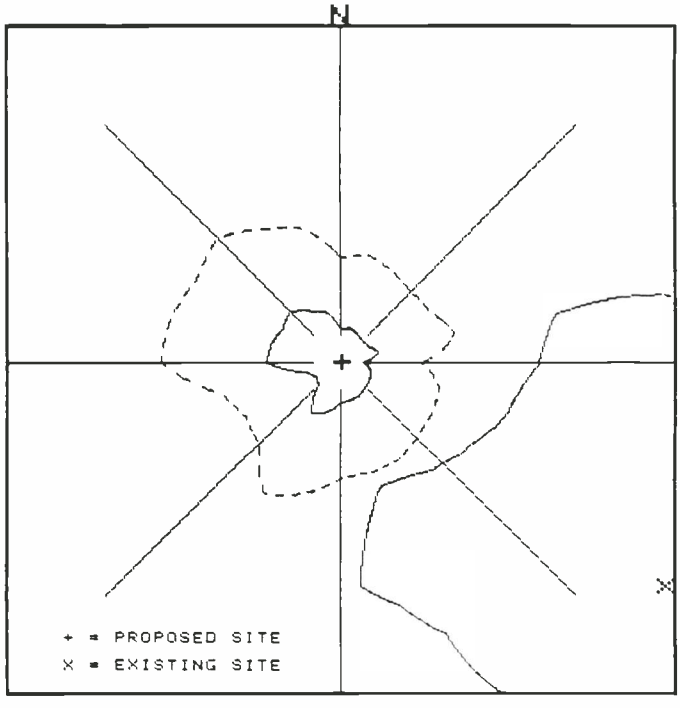

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(Continued from page 4)

ever, the important questions raised by the low power TV industry, the concerns voiced by other interests, and the scarce amount of time remaining to the post-election "lame duck" Congress, suggest that it will be difficult for Congress to resolve all of these issues satisfactorily and adopt H.R. 5949 into law. If it appears that the bill is headed for a vote, we will press for an amendment to ameliorate the negative impact on LPTV.

Regardless of the fate of H.R. 5949, the impact of our intervention into the issue should be clear to members of the telecommunications subcommittees, to staff, and to our colleagues in other branches of the communications business.

First, LPTV is here. Several dozen stations are broadcasting now, and many more will come on line in the next few months. Second, when various interests get together to shape telecommunications legislation, low power TV is entitled to a seat at the table. If we are shut out early in the process, we will demand a hearing later. And third, both the cable industry and full power broadcasters must confront the fact that the issue of LPTV access to local cable systems will eventually need to be settled in a way which is fair to all parties concerned.

For those of us in the low power industry, there is another important conclusion. That is, that for the sake of our mutual success, it is crucial that we all develop our political skills further, and learn to exercise our muscle as it develops. In a future issue of *Currents,* I will offer some ideas for developing low power television into an industry with some real clout in Washington, and suggest some things that low power applicants and licensees can do to reach this goal.

CURRENTS

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June 30, 1989

Mr. John Towley
1536 Logan Avenue
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Dear Mr. Towley:

Thank you for your inquiry regarding the services of Kompas/Biel & Associates, Inc. Kompas/Biel is a consulting firm specializing in Community Television, or LPTV. We prepare applications for LPTV stations, assist both buyers and sellers in transferring properties, and offer a number of consulting services including research and evaluation of LPTV broadcast markets or potential markets, and advice on selling to LPTV broadcasters.

Kompas/Biel also publishes The LPTV Report, a monthly news magazine for the community television industry.

Applications: Kompas/Biel offers a turn-key LPTV application preparation service which includes:

1. Channel search;
2. Application engineering;
3. Market and application feasibility consulting; each client receives two hours of consulting time;
4. Application preparation;
5. Legal review;
6. Publication of required public notices;
7. Filing of application during appropriate window.

Our fee for this service is $4,500. The FCC assesses a $375.00 filing charge per application, which is not included in these fees.

Property Transfer: With our associate, Burt Sherwood, we represent both buyers and sellers of LPTV properties. Our database of LPTV licenses and construction permits, which we have been maintaining since 1983, is the most complete and up to date

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in the country. Because we are in constant touch with the industry, we are kept constantly aware of the market in LPTV properties.

The LPTV Report: This monthly periodical is directed toward both the LPTV broadcaster and the broadcast supplier seeking to keep abreast of the industry. The LPTV Report features news, columns, editorial, and special topics, including regular in-depth reports on LPTV stations around the country. Both display and classified advertising is available. We also provide mailing lists in several formats for direct marketing efforts.

Consulting: For general consulting services such as market analysis, business plan development, and financial presentations, we charge a rate of $125.00 per hour. Our day rate is $850.00, plus travel and per diem if required.

Mr. Towley, please let me know how Kompas/Biel can be of service to you in your broadcasting efforts.

Sincerely,

John Kompas
President

P.S. The FCC has announced that it will open several LPTV application windows during the next 12 months. If you wish to file for a new LPTV construction permit, or a major change on your existing permit, you should begin preparing your application now. Please remember that the FCC imposes a "letter-perfect" standard on LPTV applications.

Community Television Business

Volume 4, No. 15 August 20, 1997

LPTVs on 60–69 Protected in Budget Law

by Jackie Biel

Congress's budget act was signed by President Clinton August 5, codifying new rules for spectrum auctions, setting the date for return of analog spectrum, relaxing some ownership rules for full power TV stations, and reallocating channels 60–69 by January 1, 1998.

The President's signature also made law an amendment directing the FCC to try to find new channels for LPTV stations on channels 60–69 before allocating those channels to public safety or auctioning them.

The amendment's language was based on the Community Broadcasting Protection Act of 1997 (HR 1539), a House bill authored by Charlie Norwood (R-GA). The new law is a "great first step," said Norwood, "but we've still got a ways to go. The budget agreement saves those stations between channels 60 and 69, but it doesn't do anything for stations between channels 2 and 59, which is the bulk of the industry."

The new law also is limited in that it directs the FCC only to "seek to assure" that displaced LPTV stations on those channels have alternate channels to go to. The original amendment, offered by Nathan Deal (R-GA) in the House and

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Norwood to Host TV Discussion On LPTV Permanent Status Bill

by Jackie Biel

Congressman Charlie Norwood (R-GA) is planning a televised roundtable discussion to promote his HR 1539, which would create a new, class A, permanent status for LPTV stations who agree to substantially the same broadcast standards that govern full power stations. LPTV broadcasters from Norwood's Congressional district will form the panel.

The program—planned as promotion for the LPTV industry and for the bill—will be produced in Norwood's Georgia district and uplinked so that stations across the nation can air it. A production date has not been set, but Norwood's communications secretary, John Stone, said that the congressman was shooting for an early September production.

Norwood is pushing for a House vote on HR 1539 early in the fall.

LPTVs on 60–69 Protected in Budget Law

. . . continued from page 1

Wendell Ford (D-KY) in the Senate, would have made the FCC "assure" alternate channels for displaced stations. But concerns by the Office of Management and Budget that such a directive would delay auctions—and therefore auction revenues—prompted the change (see *CTB*, July 16, 1997).

"Qualified" LPTV Stations

Only LPTV stations that have been broadcasting 18 hours a day and originating programming for an average of three hours a week for the 90 days prior to August 5—or since May 6, 1997—are eligible for alternate channel consideration. (LPTV lobbyists gained a last-minute victory when the amendment language was changed to require that the local programming be produced in a station's "market area" instead of its "community of license," a more restrictive term.)

"The 'seek to assure' language appears to be very weak language," said Washington attorney Jeff Timmons of Irwin, Campbell & Tannenwald. It may not be of any use, he said, if the FCC cannot find an alternate channel for a station—a distinct possibility, especially in congested urban markets.

Filing Window?

One FCC source suggested that the Commission could open a filing window that would be limited to "qualifying" LPTV stations on those channels. A filing window would require applicants to find their own alternate channels below channel 60—a method that would conserve Commission resources but could pose problems for applicants who would have to bear the burden of finding acceptable alternate channels themselves and risk having their applications delayed because of engineering errors. (The Commission has thrown out its "letter-perfect" LPTV application policy. Applications now must be only "substantially complete," and a corrected application may be submitted once.)

And a window could be opened only after the FCC rules on some 200 petitions for reconsideration to the *Fifth* and *Sixth Report and Orders* and issues a final DTV allotment table.

Mike Sullivan, executive director of the Community Broadcasters Association, was pleased that LPTV stations on channels 60–69 were offered protection. "We can decide whether it's a small or huge victory, but we shouldn't debate its significance," he said in a memo to CBA members.

No User Fees

Thanks to the efforts of Senate Commerce Committee chairman John McCain (R-AZ) and House Telecommunications Subcommittee chairman Billy Tauzin (R-LA), neither the House nor the Senate bills included spectrum user fees. Fees to be assessed against broadcasters for their use of spectrum had been proposed earlier this year as a way to offset a possible $6 billion shortfall in spectrum auction revenue.

Some other provisions of the budget act:

- Full power broadcasters must return their analog channels to the FCC by December 31, 2006 unless 1) one or more of the four major network stations in a market, despite their best efforts, are not yet broadcasting in DTV; or 2) digital-to-analog converter systems are not available in the market; or 3) 15% or more of the market's TV households cannot receive digital signals because either they do not have a digital TV receiver or a converter box, or they do not subscribe to a multi-channel video service that offers at least one of the DTV channels of each digital station in the market.

- The FCC must submit its proposed auction procedures for public notice and comment; and it must allow sufficient time between an auction announcement and the auction itself for potential bidders to develop business plans, assess market conditions, and make sure equipment is available to build the services for which they plan to bid.

- The FCC must establish a minimum bid or reserve price for spectrum to be auctioned.

- The FCC may not use the duopoly and newspaper cross-ownership rules to prevent a prospective licensee from bidding in a spectrum auction, and it cannot refuse to grant a license to any winning bidder on the basis of those rules. This is true for any DTV license serving a city of more than 400,000 as of the 1990 census.

- The FCC may auction spectrum already applied for by two or more mutually exclusive applicants, but only those applicants may bid. And auctions cannot be scheduled before January 12, 1998 so that competing applicants have a chance to settle among themselves.

- The FCC may not conduct lotteries between mutually exclusive applications after July 1, 1997, unless they are noncommercial/educational or public broadcast station applications.

- The FCC must auction analog channels by September 30, 2002, and it can auction other spectrum until September 30, 2007.

- The "pioneer's preference" expires August 5, 1997, the date of enactment of the budget bill.

Conference Commitee Members

Members of the House-Senate Conference Committee which approved the final bill were John McCain (R-AZ), Senate Commerce Committee chairman; Ernest Hollings (D-SC), Senate Commerce Committee ranking member; Senator Ted Stevens (R-AK); House Commerce Committee chairman Tom Bliley (R-VA); House Telecommunications Subcommittee chairman Billy Tauzin (R-LA); and House Commerce Committee ranking member John Dingell (D-MI).

FCC Filings

The Federal Communications Commission recently authorized the following actions. Our filings are based on FCC reports obtained through a research service and from the Internet. You may obtain most FCC public information through the Internet by accessing **http://www.fcc.gov**.

Broadcast Station Totals

The FCC has announced the following broadcast station totals as of June 30, 1997.

AM Radio	4,811
FM Radio	5,477
FM Educational	1,889
TOTAL	**12,177**
UHF Commercial TV	637
VHF Commercial TV	558
UHF Educational TV	241
VHF Educational TV	124
TOTAL	**1,560**
FM Translators and Boosters	2,800
UHF Translators	2,721
VHF Translators	2,270
TOTAL	**7,791**
UHF LPTV Stations	1,446
VHF LPTV Stations	555
TOTAL	**2,001**

Proposed LPTV and TV Translator Construction Permits

The following 167 LPTV and TV translator construction permit applications were accepted for filing on or before August 1, 1997. They are not mutually exclusive with any other applications and will be awarded unless petitions to deny are filed within 30 days of August 1. For computation of the 30-day period, see Section 1.4 of the Commission's Rules. *Further information may be obtained by accessing Report No. PGL97-3 on the Internet at www.fcc.gov.*

*Application seeks waiver of Section 74.705 or 74.707 of the Commission's Rules.

K09OT Ch. 9 Valdez, AK. State of Alaska.

WYAM-LP Ch. 56 Decatur, AL. Dorsey E. Newman.

K44DS Ch. 44 Batesville, AR. H. F. and Alma K. G. S. Sharrocks.

K46EM Ch. 28 Batesville, AR. Brewer Family Trust.

K51ET Ch. 51 Batesville, AR. Marvin L. Bates, Jr.

K53FM Ch. 53 Batesville, AR. Christian C. Holst.

K65FN Ch. 65 Batesville, AR. Jerry D. Foreman.

K67GR Ch. 67 Batesville, AR. Harry D. Kaiser.

K29DC Ch. 29 El Dorado, AR. Douglas Woellner.

K36DR Ch. 36 El Dorado, AR. Richard E. Murray.

K46DT Ch. 46 El Dorado, AR. Norman D. Tanner.

K50EK Ch. 50 El Dorado, AR. Simie Fein.

K53FB Ch. 53 El Dorado, AR. Malcolm C. Cook, Sr.

K57GF Ch. 57 El Dorado, AR. Dan Lewis.

K59FJ Ch. 59 El Dorado, AR. Dan Lewis.

K66EX Ch. 66 El Dorado, AR. Damon Merari.

K69HH Ch. 14 Little Rock, AR. Ronald Ellerbeck.

W17BX Ch. 17 Montrose, AR. Mitzi Dunn.

W28BV Ch. 28 Montrose, AR. Allen Craig Smithorunan.

W31BL Ch. 31 Montrose, AR. Debra S. Wommack.

W36CA Ch. 36 Montrose, AR. Mitzi Dunn.

W42CG Ch. 42 Montrose, AR. Jerry Wayne Dunn.

W46CP Ch. 46 Montrose, AR. Mitzi Dunn.

W50CB Ch. 50 Montrose, AR. Debra S. Wommack.

W54CF Ch. 54 Montrose, AR. Jerry Wayne Dunn.

W56DP Ch. 56 Montrose, AR. Allen Craig Smithorunan.

W58CV Ch. 58 Montrose, AR. Debra S. Wommack.

W64CJ Ch. 64 Montrose, AR. Allen Craig Smithorunan.

W68DC Ch. 68 Montrose, AR. Mitzi Dunn.

K69HJ Ch. 41 Phoenix, AZ. World Television.

New Ch. 35 Yuma, AZ. Esterela License Corporation.

K07WB Ch. 32 Fresno, CA. Faith F. Branch.

K19DE Ch. 19 Lompoc, CA. Eduardo and Rosa Maria Caballero.

K43DW Ch. 20 Paynes Creek, CA. Sainte Limited.

K20CS Ch. 20 Porterville, CA. Eduardo and Rose Maria Caballero.

K65AM Ch. 65 Ridgecrest, CA. Indian Wells Valley TV Booster.

K21DP Ch. 21 Sacramento, CA. National Minority TV, Inc.

K29AB Ch. 43 Salinas/Monterey, CA. Ralph C. Wilson Industries, Inc.

K15DB Ch. 15 Santa Barbara, CA. Trinity Broadcasting Network.

*K52CK Ch. 52 Stockton/Lodi, CA. Telemundo of Northern California Corporation.

K19EF Ch. 19 Templeton, CA. U S A Software, Inc.

K40DQ Ch. 40 Tulare, CA. Pappas Telecasting, Inc.

*K08LV Ch. 8 Visalia, CA. Turnpike Television.

K66BN Ch. 66 Durango, CO. KOB-TV, Inc.

K21EC Ch. 21 Grand Junction, CO. University of Southern Colorado.

W69CL Ch. 32 Hartford, CT. Atrium Broadcasting Company.

W63BO Ch. 28 Washington, DC. Wireless Data Systems, Inc.

W55BT Ch. 55 Talleyville, DE. William E. Mattis, Jr.

W21AX Ch. 21 Miami, FL. J. B. R. Corporation, Inc.

W43AY Ch. 43 Naples, FL. Russell R. Weddell.

W47AL Ch. 47 Orlando, FL. Concilio Mission Cristiana.

W50BP Ch. 50 Panama City Beach, FL. Ellen Reeves.

W21BD Ch. 21 Pompano Beach, FL. Cayo Hueso TV Corporation.

W51CO Ch. 51 Tallahassee, FL. VJN LPTV Corporation.

W68CF Ch. 68 Tampa, FL. Trinity Broadcasting Network.

WVEA-LP Ch. 61 Tampa, FL. Latin Communications Group TV.

W47BG Ch. 47 West Palm Beach, FL. Jacksonville Educators Broadcasting.

W67CI Ch. 67 Roswell, GA. Korean American TV Broadcasting Corporation.

K30EN Ch. 30 Ames, IA. TV-45, Inc.

K23DM Ch. 23 Des Moines, IA. R. B. Sheldahl.

K19DX Ch. 19 Iowa Falls, IA. BSA Investment.

K33ED Ch. 33 Iowa Falls, IA. East Side Enterprises.

K47EK Ch. 47 Iowa Falls, IA. Robert M. Campbell.

K49DZ Ch. 49 Iowa Falls, IA. East Side Enterprises.

K55GV Ch. 55 Iowa Falls, IA. Robert M. Campbell.

K59FM Ch. 59 Iowa Falls, IA. East Side Enterprises.

K61GF Ch. 61 Iowa Falls, IA. BSA Investment.

K69GZ Ch. 69 Iowa Falls, IA. BSA Investment.

K65GA Ch. 65 Ottumwa, IA. Malcolm C. Cook, Sr.

K25CK Ch. 25 Montpelier, ID. Bear Lake County TV District.

New Ch. 53 Quincy, IL. Erna H. Stewart.

W05CD Ch. 31 Talbert, KY. Joseph Liska, Jr.

W10CL Ch. 53 Talbert, KY. L. Bryant Helmer.

W24BT Ch. 24 Talbert, KY. Leonard H. Dykes.

W51CK Ch. 51 Talbert, KY. John Digiuseppe.

K16DK Ch. 16 Alexandria, LA. Carl Stark.

K23DZ Ch. 23 Alexandria, LA. Dewey G. McIlrath.

continued on page 7 . . .

Classifieds

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Please send news items to the address above, or e-mail to Jackie Biel at **kbltd19@idt.net**.

Jackie Biel: Editor and Publisher
Patrick Urban: Layout
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Kennard Nominated To Head FCC

If Confirmed, Kennard Would be First African American Chairman

FCC general counsel Bill Kennard will head the Commission when present chairman Reed Hundt steps down, if the Senate approves his White House nomination—which is likely, according to recent reports.

And it looks like the other three vacant Commission seats will be filled as well—subject, of course, to Senate confirmation hearings which will probably begin after lawmakers return from their August recess.

Kennard got the nod late last month over two other contenders—Kathleen Wallman, a friend of Vice President Al Gore, and Ralph Everett, protégé of South Carolina Democratic Senator Ernest Hollings. He also edged out present Commissioner Susan Ness who last spring seemed to be a strong contender for the chairmanship.

By all accounts, Kennard is eminently qualified to head the FCC. He has served as the Commission's general counsel since 1993 and has boosted its win-loss record from 55% to 85% in his nearly four years on the job. Earlier in his career, he was a fellow with the National Association of Broadcasters and an attorney with Verner Liipfert Bernhard McPherson & Hand, where he handled broadcast and cable acquisitions and sales.

Kennard also has vigorously promoted broadcast ownership among minorities, and he is supported in his candidacy for FCC chairman by several minority broadcast organizations—among them the newly formed Black Broadcasters Alliance (see story, page 7).

Already nominated to fill the seats of Rachelle Chong, whose term is expiring, and Andrew Barrett, who left the Commission last year, are Republicans Michael Powell and Harold Furchtgott-Roth, respectively.

And to fill James Quello's Democratic seat, the White House plans to nominate Gloria Tristani, a commissioner with the New Mexico State Corporation Commission which regulates state telecommunications and other industries.

Tristani's nomination would satisfy Senate Democrats who have been pushing for a candidate who would understand rural interests.

AT THE FCC

Some Kid Programming Preemptions Now OK, Says FCC

Responding to requests from the three top networks, the FCC has decided to allow TV stations to preempt children's programming in order to broadcast live sports and late-breaking news stories.

The networks recently asked the FCC to allow stations to preempt the required "core" children's programming airing from 9 AM to 12 noon on Saturday mornings in order to air timely sports and news coverage. Three hours of core children's programs, according to FCC rules adopted last year, must be aired at regularly scheduled times during the week. Rescheduling these programs in order to air live news and sports would cause problems for stations at license renewal time.

But the FCC has decided that a station may preempt kids' programs if proper notice is given to parents so that they can still plan their children's TV viewing. That means notifying program guide publishers of the new air times and telling viewers during the preceding episode of a program and at the time of preemption about the time change.

Preempted programs will still count toward a station's three-hour weekly obligation if they are aired during an alternative "regularly scheduled time period" between 7 AM and 10 PM on the same day, within the same week, or on the following Saturday at a time adjacent to other regularly scheduled kids' programs. Any other rescheduling scheme would not be acceptable because parents would not be able to predict when the shows would air and therefore could not plan their children's viewing.

The exception is late-breaking news. Breaking news includes live coverage of news events and other stories that a broadcaster may deem essential to covering the event. The FCC urges stations to reschedule children's programs preempted for live news coverage, but failure to do so would not by itself constitute a failure to meet a station's children's programming obligation.

LPTV stations are currently not subject to the children's TV rules unless they are carried on a cable system under the must carry rules. However, a bill currently before the House would create a new, permanent "class A" category of LPTV stations. The FCC may require class A stations to meet the obligations of full power, Part 73 broadcasters (see *CTB*, May 5, 1997).

How to Get On the LPTV Loop

To subscribe to the LPTV industry's Internet forum, send the following message to majordomo@loop.com: **subscribe lptv [your e-mail address]**.

To address the group, send e-mail to **lptv@loop.com**. To send messages to individual members of the group, use their personal e-mail addresses.

To get a list of current Loop members, e-mail majordomo@loop.com this message: **who lptv**.

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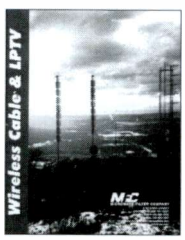

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AT THE FCC

FCC To Modify Fee Collection Procedures

The FCC has issued a *Further Notice of Proposed Rule Making* seeking comments on how to make its fee collection procedures more accurate and timely.

Among the proposals: Commercial mobile radio station licensees would have to document the basis for their fee payments by reporting the number of pagers, cellular telephones, or PCS units they serve. Nonprofit entities would have to document their nonprofit status in order to claim exemption from the regulatory fee. And fee payments by commercial entities would be published annually in the *Federal Register*, so that companies can ascertain for themselves whether their payments have been properly recorded.

Comments on these proposals are due 20 days after publication in the *Federal Register*. At press time, the *FNPRM* had not yet been published in the *Register*.

Coming Up

National Religious Broadcasters Western Regional Convention. August 24–26. South Coast Plaza Hotel, Costa Mesa, CA. Info: (714) 575-5000.

National Lesbian and Gay Journalists Association 6th Annual Convention. August 28–31, Sheraton Towers Chicago, Chicago, IL. Info: Mike Frederickson, (202) 588-9888.

FamilyNet National Affiliates Conference. September 10–13, in conjunction with Inspiration '97, Dallas Infomart, Dallas, TX. Info: Risa Hubbard, (800) 832-6638.

National Religious Broadcasters Midwestern Regional Convention. September 11–13, Maranatha National Bible and Missionary Conference, Muskegon, MI. Info: Scott Keegan, (616) 772-7300.

1997 International Broadcasting Convention. September 12–16, Amsterdam, Holland. Info: 011-44-171-240-3839.

NIMA International Annual Meeting & Exposition: Electronic Retailing Worldwide: Marketplace of the Next Millennium. September 14–17, San Diego Marriott Hotel & San Diego Convention Center, San Diego, CA. Info: (800) 987-6462, (202) 289-6462.

National Association of Minorities in Communications 11th Annual Urban Markets Conference. September 15–16, Grand Hyatt Hotel, New York, NY. Info: (212) 838-2660.

1997 NAB Radio Show. September 17–20, New Orleans Convention Center, New Orleans, LA. Info: (800) 342-2460.

Radio-Television News Directors Association International Conference & Exhibition. September 17–20, New Orleans Convention Center, New Orleans, LA. Info: Rick Osmanski, (202) 467-5200.

Digital Wireless TV: Finance & Valuation Strategies. Sponsored by Digital Broadcast Corporation. September 18–19, Marriott East Side Hotel, New York, NY. Info: (800) 999-3123.

1997 NAB Hundred Plus Exchange. September 20–22, New Orleans, LA. Info: Carolyn Wilkins, (202) 429-5366.

IEEE Broadcast Technology Society 47th Annual Broadcast Symposium. September 24–26, Sheraton City Centre Hotel, Washington, DC. Info: Dr. Gerald Berman, (301) 881-4310.

Society of Broadcast Engineers National Meeting. September 25–27, Four Points Hotel & Conference Center, Syracuse, NY. Info: John Poray, (317) 253-1640.

Oregon Association of Broadcasters 57th Annual Fall Conference. September 25–27, Portland Airport Shilo Suites, Portland, OR. Info: Bill Johnstone, (541) 343-2101.

Maine Association of Broadcasters 50th Annual Convention. September 26–28, Sebasco Lodge, Phippsburg, ME. Info: Suzanne Goucher, (207) 623-3870.

Tennessee Association of Broadcasters 50th Annual Convention. September 27–29, Meadowview Inn and Conference Center, Kingsport, TN. Info: (615) 399-3791.

National Religious Broadcasters Eastern Chapter Annual Convention. September 28–30, Sandy Cove Convention Center, North East, MD. Info: (301) 582-0285.

Society of Professional Journalists National Convention. October 3–5, Marriott City Center, Denver, CO. Info: (317) 653-3333.

15th Annual Private & Wireless Show. October 8–10, Wyndham Anatole Hotel, Dallas, TX. Info: (800) 555-0224.

DTV²: The Second Annual Digital Television Forum. October 20–22, Marriott World Trade Center, New York, NY. Info: (800) 647-7600.

Community Broadcasters Association 10th Annual Convention and Exposition. November 9–11, Excalibur Hotel, Las Vegas, NV. Cocktail gathering, 5 PM, November 8 at the Excaliber. Registration Info: Eddie Owen, (502) 885-4300. Exhibitor Info: Ron Bruno, (412) 922-9576 or Greg Herman, (503) 289-2456.

Society of Motion Picture and Television Engineers 139th Technical Conference. November 21–24, Marriott Marquis Hotel, New York, NY. Info: (914) 761-1100.

The Western Show, California Cable Television Association. December 9–12, Anaheim Convention Center, Anaheim, CA. Info: (510) 428-2225.

Supplier Shorts

Communications & Energy Corporation has introduced the Model 7502-LL diplexer which combines two nonadjacent LPTV UHF channels (with three-channel guard band separation) onto a single uptower transmission line. At $1,080, the diplexer is an inexpensive alternative to higher power quadraplexers when power levels are under 25 watts.

Passband insertion loss is 0.7 dB maximum and 0.6 dB minimum. Nonadjacent channel isolation is 20 dB minimum. Power handling is 24 watts.

Connectors are 50 ohm Type BNC. Type BNC to N adapters are also available. The diplexer is mounted on a 12" x 10" panel and weighs about 4.5 pounds.

• • •

Nemal Electronics International has announced a new UHF male connector plug for RG217/U coaxial cable.

The new connector features a two-piece design for easy installation and allows direct connection to equipment with UHF type receptacles. It has a gold-plated center contact and Teflon insulation for optimum performance throughout the VHF and UHF spectrum.

For more information, call (305) 899-0900 or e-mail info@nemal.com.

• • •

On Sunday evening, September 7, **America One** will be airing *Street & Smith's College Football Preview '97*. This one-hour special features insights and highlights from all of the major football conferences—the Big 12, ACC, PAC 10, SEC, WAC, Conference USA, and many more.

The program is the first by Street & Smith, touted as the "bible" of college football annual previews for more than 60 years and boasting more than 300,000 readers nationally.

Hosted by Sam Smith, *College Football Preview '97* will feature editorial guests from Street & Smith as well as highlights of the Heisman contenders. Also featured will be a first-hand look at the college bowl alliances, the major independents, and teams on the inside track for the national championship.

Also returning to America One for a second season is *Big West Football*. And joining *Big West* this year will be the *Blue & White Network*, showcasing Brigham Young University football.

The Big West—whose members are Boise State, New Mexico State, Idaho, Nevada, North Texas State, and Utah State—has produced its share of National Football League standouts as well as several players leading their categories in statistics.

The first live game—Brigham Young taking on SMU—airs September 27. For the remainder of the thirteen-game schedule, call America One at (972) 868-1000.

ASSOCIATIONS

Black Broadcasters Form New Association

A new group supporting African American broadcasters has begun recruiting members.

The Black Broadcasters Alliance was organized by a group of television and radio station owners and managers and held its first board meeting in June. Eddie Edwards, who owns several major market TV stations, is BBA's founder and chairman of the board.

Edwards said that a major goal of the BBA is to increase the number of African Americans who hold decision making positions at stations or who own broadcast properties themselves. To that end, BBA will sponsor regular seminars on opportunities in sales and engineering—areas that can lead to firm careers and ultimate ownership.

The association will also represent African American broadcasters at the FCC and to banks, insurance companies, and venture capitalists.

Annual dues are $50 for individuals, $1,000 for stations. Individual members who sign up before the end of 1997 will pay only $25 for their first year.

For more information, call (410) 662-4536, or visit BBA's Web page at www.thebba.org.

FCC Filings

K36DS Ch. 36 Alexandria, LA. Marvin L. Bates, Jr.
K43EI Ch. 43 Alexandria, LA. Yossi Z. Eichenbaum.
K55GT Ch. 55 Alexandria, LA. Michael E. O'Neill.
K57GK Ch. 57 Alexandria, LA. Damon Merari.
K13VE Ch. 50 Baton Rouge, LA. David Loflin.
K65FP Ch. 65 Denham Springs, LA. Great Oaks Broadcasting Corporation.

WCEA-LP Ch. 19 Boston, MA. Channel Nineteen TV Corporation.
W69AQ Ch. 46 Springfield, MA. Jasas Broadcasting 27, LP.

W17BF Ch. 17 Bangor, ME. Trinity Broadcasting Network.
W17BJ Ch. 17 Danforth, ME. Trinity Broadcasting Network.

WBXD-LP Ch. 42 Detroit, MI. VJN LPTV Corporation.

K50DW Ch. 50 Alexandria, MN. H. W. and/or L. C. Tegtmeier.
K13UT Ch. 33 Minneapolis, MN. VJN LPTV Corporation.

K36EF Ch. 36 Columbia, MO. Laritta M. Morehead West.
K38EO Ch. 38 Columbia, MO. Laritta M. Morehead West.
K51FB Ch. 51 Columbia, MO. Glenda R. Harders.
K24DF Ch. 24 Lebanon, MO. New Life Evangelistic Center.

K44DI Ch. 44 Clyde Park/Emigrant, MT. Shields Valley TV Tax District.
New Ch. 34 Kalispell, MT. Jane Poulsen.
New Ch. 35 Kalispell, MT. Marie Davis.

K17DW Ch. 17 Columbus/Fremont, NE. Roger E. Harders.
K28EN Ch. 28 Columbus/Fremont, NE. Glenda R. Harders.
K31EN Ch. 23 Columbus/Fremont, NE. David C. Brodahl.
K33EM Ch. 33 Columbus/Fremont, NE. David C. Brodahl.
K65GE Ch. 65 Columbus/Fremont, NE. Roger E. Harders.

W23BA Ch. 23 East Orange, NJ. Paxson Communications LPTV, Inc.

K68EO Ch. 21 Albuquerque, NM. Joseph W. Shaffer.
K57AB Ch. 57 Colfax, NM. KOB-TV, Inc.
K09EQ Ch. 21 Taos, NM. New Mexico Broadcasting Company.

K31DO Ch. 31 Las Vegas, NV. Las Vegas Media, LLC.
K50CM Ch. 50 North Shore Lake Tahoe, NV. Sierre Broadcasting Company.
K29CW Ch. 25 Reno, NV. Keith L. Lowery.

W04AS Ch. 25 Albany, NY. WSKG Public Telecommunications Council.
W57AC Ch. 33 Attica, NY. Boces of Steuben-Allegany County.
W04BG Ch. 4 Binghamton, NY. WSKG Public Telecommunications Council.
WNYN-LP Ch. 53 Deer Park, NY. Xenia Renatta Izzo.
W51CN Ch. 33 Dunkirk, NY. Grant Television, Inc.
WXNY-LP Ch. 39 New York, NY. Island Broadcasting Company.

W68BP Ch. 61 Cincinnati, OH. Trinity Broadcasting Network.
W68CD Ch. 68 Toledo, OH. National Minority TV, Inc.

KLOT-LP Ch. 25 Tulsa, OK. Kaleidoscope Affiliates, LLC.

K57CQ Ch. 26 Wasco, OR. North Sherman TV Co-op.

W66CS Ch. 67 Harrisburg, PA. Wireless Cable TV of Pennsylvania, Inc.

K31DK Ch. 31 Rapid City, SD. Rapid Broadcasting Company.
KNBN-LP Ch. 24 Rapid City, SD. Rapid Broadcasting Company.

W14BW Ch. 14 Acton, TN. Glenn W. King.
W20BJ Ch. 20 Acton, TN. Lillian M. Glimsdale.
W28BO Ch. 28 Acton, TN. Norman Cloutier.
W32BG Ch. 32 Acton, TN. Wardner E. Randolph.
W34BU Ch. 34 Acton, TN. Leonard H. Dykes.
W38BZ Ch. 38 Acton, TN. Leonard H. Dykes.
W43BH Ch. 43 Acton, TN. Betty J. Dykes.

continued on page 8. . .

ASSOCIATIONS

NATPE Offers TV Business Best Sellers

A nuts-and-bolts overview of television broadcasting and program distribution in the U.S. has been updated and re-released for 1997 by the National Association of Television Program Executives.

The 30-minute video, entitled *U.S. Broadcasting & Distribution*, is available in both English and Spanish and offers current statistics on owned-and-operated stations, network programming, and network affiliates. NATPE describes it as a "must-see primer" on the business for the novice and the professional alike.

The tape costs $29.95 for NATPE members and $39.95 for nonmembers.

Also check out the annual *NATPE Programmer's Guide*, a comprehensive resource of program distributors and service companies.

To order either item, call NATPE at (310) 453-4440, ext. 229 or 224.

Finally, you can register online for NATPE's 35th Annual Convention January 19–22 in New Orleans. Access the association's Web page at www.natpe.org or call 1-800-NATPE-GO for registration and housing information.

What Viewers Want

According to a recent Gallup poll, 79% of American TV viewers want to see more history, documentaries, and arts programs; 74% want more movies; 62% want more news and information programs; and 53% want more dramas.

The information was recently reported in the National Association of Television Program Executives monthly newsletter.

FCC Filings

W46CE Ch. 46 Acton, TN. William G. Gale.
W49BK Ch. 49 Acton, TN. Yossi Z. Eichenbaum.
W62CK Ch. 62 Acton, TN. Damon Merari.
W69DB Ch. 69 Acton, TN. Albert E. Kienas.
W38BY Ch. 38 Jackson, TN. Grady L. Price, Jr.
W41BR Ch. 52 Jackson, TN. Betty S. Harden.
W46CG Ch. 46 Jackson, TN. Louis J. Hadbavny.
*W32BQ Ch. 32 Knoxville, TN. Tiger Eye Broadcasting Corporation.
WIIW-LP Ch. 14 Nashville, TN. Kaleidoscope Affiliates, LLC.

K38EG Ch. 38 Alexandria, TX. James W. Satterfield.
K20EP Ch. 20 Austin, TX. Joseph W. Shaffer.
KBVO-LP Ch. 49 Austin, TX. KXAN, Inc.
New Ch. 48 Cisco, TX. Sage Broadcasting Corporation/KIDY-TV.
New Ch. 25 Corsicana, TX. Mike A. Mendoza.
K19DW Ch. 19 Dallas, TX. Dilip Viswanath.
K62DG Ch. 62 Lubbock, TX. Ramar Communications, Inc.
K51ED Ch. 51 San Angelo, TX. Robert A. Hetherington.

K09AM Ch. 35 Heber, UT. Wasatch County Commissioners.
K59BS Ch. 59 Milford, etc., UT. Fox Television Stations, Inc.
K47AI Ch. 47 Randolph/Woodruff, UT. Rich County.
K49AP Ch. 49 Randolph/Woodruff, UT. Rich County.
K03AS Ch. 3 Richfield, UT. Sevier County.
K38AQ Ch. 38 Richfield/Monroe, UT. Sevier County.
K40AB Ch. 40 Richfield/Monroe, UT. Sevier County.
K42AJ Ch. 42 Richfield/Monroe, UT. University of Utah.
K41EB Ch. 41 Rural Garfield County, UT. Garfield County.
K55BO Ch. 55 Rural Garfield County, UT. University of Utah.
K63AG Ch. 63 Rural Garfield County, UT. Garfield County.
K36CJ Ch. 18 Salt Lake City, UT. National Minority TV, Inc.
K38CN Ch. 38 Salt Lake City, etc. UT. William Allen Marshall.

W60BR Ch. 60 Chesapeake, VA. AFL Group.
WKTD-LP Ch. 17 Portsmouth, VA. WAVY Television, Inc.

W30BL Ch. 30 Burlington, VT. New England Mobile Communications, Inc.
W46BW Ch. 46 Newport, VT. NYN, LLC.

K66EU Ch. 52 Yakima, WA. WatchTV, Inc.

W46AR Ch. 46 Milwaukee, WI. Weigel Broadcasting Company.

W69DD Ch. 69 Huntington, WV. Bruce Merrill.

K55BL Ch. 55 Sheridan/Story, WY. Eastern Broadcasting Corporation.

New LPTV Licenses

W19CB Sylacauga, AL. Alabama Cable Network, Inc., 7/10/97.

K43FA Santa Barbara, CA. Melissa Harnett, 7/10/97.

W62BT Youngstown, OH. Turnpike Television, 7/28/97.

W61CC Pittsburgh, PA. The Videohouse, Inc., 7/9/97.

W65CJ Guayama, etc., PR. Robert Rodriguez, 7/11/97.

W57CG Memphis, TN. George S. Flinn, Jr., 7/11/97.

K39EL Laredo, TX. Carlos Ortiz, 7/28/97.

Experimental LPTV DTV Construction Permit

New Channel 45 Anchorage, AK. Goldbelt, Inc. Application granted for experimental TV broadcast station construction permit for a new LPTV digital television station to serve Anchorage, AK on channel 45, 7/18/97. (Call sign not yet available.)

LPTV License Renewals

K11TH Nome, AK. Three Angels Broadcasting Network, Inc., 7/22/97.

W47BS Talladega, AL. Alabama Community Television, Inc., 7/22/97.

KNJE-LP Eureka Springs, AR. New Life Evangelistic Center, Inc., 7/22/97.

K57BT Denver, CO. Trinity Broadcasting of Denver, Inc., 7/22/97.
KGHB-LP Pueblo, CO. Entravision Holdings, LLC, 7/22/97.

W02CI Cairo/Thomasville, GA. CEE, Inc., 7/22/97.

STATIONS

Leased Access Complaints: Win Some, Lose Some

In the wake of the FCC's new leased access rate rules adopted early this year, would-be leased access programmers are keeping Commission staff busy with a steady supply of complaints. Among them are LPTV broadcasters Engle Broadcasting and Harry Tootle.

Jones Intercable in Turnersville, NJ has been ordered to give the FCC more information about the rates that it charged Engle Broadcasting during the spring of 1996. Engle, which owns LPTV Channel 8 in Hammonton, NJ, claimed that Jones was charging more than the allowable fee.

Jones did not reply to the petition, but the FCC told the cable company to recalculate the fees it charged Engle and to support them with documentation, including subscriber counts, so that the it can decide if the fees were fair.

And the Commission denied Harry Tootle's complaints that Time Warner Cable of New York City and Prime Cable of Nevada failed to supply him with their leased access rates. Tootle, who operates both a satellite program service and an LPTV station, requested damages in the case of Time Warner and the return of a payment he had made to Prime Cable. It was later determined that Prime Cable had not cashed Tootle's check.

The FCC denied both petitions, saying that Tootle had failed to prove any violations by either cable company.

A P P E N D I X A

1. Section 73.601 is revised in its entirety to read as follows:

§73.601 Scope of subpart.

This subpart contains the rules and regulations (including engineering standards) governing TV broadcast stations, including noncommercial educational TV broadcast stations and, where indicated, low power TV and TV translator stations in the United States, its Territories and possessions. TV broadcast, low power TV, and TV translator stations are assigned channels 6 MHz wide, designated as set forth in §73.603(a).

2. Section 73.903 is revised in it entirety to read as follows:

§73.903 Emergency Broadcast System (EBS).

The EBS is composed of AM, FM, and TV broadcast stations; low power TV stations; and non-government industry entities operating on a voluntary, organized basis during emergencies at National, State, or Operational (Local) Area Levels.

3. Section 73.904 is revised in its entirety to read as follows:

§73.904 Licensee.

The term "licensee" as used in this Subpart means the holder of a broadcast station license granted or continuing in force under authority of the Communications Act of 1934, as amended. Such licensee includes any AM, FM, TV, or low power TV station holding a valid license, program test authorization, or other authorization permitting regular programming operation.

4. SECTION 73.932 AMENDED:

The second sentence of paragraph (b) in Section 73.932 is revised to read:

All broadcast station licensees except noncommercial educational FM stations authorized to operate with transmitter output powers of 0.010 kW or less and low power TV stations, must install, operate, and maintain equipment capable of generating the Attention Signal (see §73.906) to modulate the transmitter so that the signal may be broadcast to other stations.

5. SECTION 73.961 AMENDED:

The last sentence of paragraph (c) of Section 73.961 is revised

to read:

These tests will be conducted in accordance with the procedures set forth in the EBS checklist furnished to all broadcast stations. However, Class D noncommercial educational FM stations authorized to operate with transmitter output powers of 0.01 kW or less and low power TV stations need not transmit the two-tone EBS Attention Signal.

6. Section 73.1001 is amended by revising paragraph (c) to read as follows:

§73.1001 Scope.

* * * * *

(c) Certain provisions of this Subpart apply to International Broadcast Stations (Subpart F, Part 73), TV translator stations, and low power TV stations (Subpart G, Part 74) where the rules for those services so provide.

* * * * *

7. Section 73.1010 is amended by revising paragraph (e) to read as follows:

§73.1010 Cross reference to rules in other Parts.

* * * * *

(e) Part 74 (Volume III), "Experimental, Auxiliary and Special Broadcast, and Other Program Distributional Services" including Subparts on the following stations: A, "Experimental Television--," B, "Experimental Fascimile--," C, "Developmental--", Instructional TV Fixed Service--," L, "FM Translator and Booster--."

8. Section 73.3500 is amended by revising the titles for FCC Forms 346, 347, and 348 as follows:

* * * * *

346 ..... Application for Authority to Construct or Make Changes in a Low Power TV, TV Translator, or FM Translator Station.

347 ..... Application for a Low Power TV, TV Translator, or FM Translator Station License.

348 ..... Application for Renewal of a Low Power TV, TV Translator, or FM Translator Station License.

* * * * *

9. Section 73.3516 is amended by revising paragraph (a) to read as follows:

§73.3516 Specification of facilities.

(a) An application for facilities in the AM, FM, or TV broadcast services or low power TV service shall be limited to one frequency, or channel assignment, and no application will be accepted for filing if it requests alternate frequency or channel assignments.

* * * * *

10. Section 73.3533 is amended by revising paragraph (a)(7) to read as follows:

§73.3533 Application for construction permit.

(a) * * *

* * * * *

(7) FCC Form 346, "Application for Authority to Construct or Make Changes in a Low Power TV, TV Translator, or FM Translator Station."

* * * * *

11. Section 73.3536 is amended by revising paragraph (a)(7) to read as follows:

§73.3536 Application for license to cover construction permit.

(a) * * *

* * * * *

(7) FCC Form 347, "Application for a Low Power TV, TV Translator, or FM Translator Station License."

* * * * *

12. Section 73.3539 is amended by revising paragraph (d)(8) to read as follows:

§73.3539 Application for renewal of license.

* * * * *

(d) * * *

* * * * *

(8) FCC Form 348, "Application for Renewal of Low Power TV, TV Translator, or FM Translator Station License."

* * * * *

13. Section 73.3564 is amended by revising paragraph (a) to read as follows:

§73.3564 Acceptance of applications.

(a) Applications tendered for filing are dated upon receipt and then forwarded to the Broadcast Bureau, where an administrative examination is made to ascertain whether the applications are complete. Except for low power TV and TV translator ppplications, those found to be complete or substantially complete are accepted for filing and are given file numbers. In the case of minor defects as to completeness, the applicant will be required to supply the missing information. Applications that are not substantially complete will be returned to the applicant. In the case of low power TV and TV translator applications, those found to be complete are accepted for filing and are given file numbers. Low power TV and TV translator applications that are not complete will be returned to the applicant.

14. Section 73.3572 is amended by revising the headnote and paragraph (a)(1) to read as follows:

§73.3572 Processing of TV broadcast, low power TV, and TV translator station applications.

(a) * * *

(1) In the first group are applications for new stations or major changes in the facilities of authorized stations. A major change for TV broadcast stations authorized under this Part is any change in frequency or station location, or any change in the power or antenna location or height above average terrain (or combination thereof) that would result in a change of 50% or more of the area within the Grade B contour of the station. (A change in area is defined as the sum of the area gained and the area lost as a percentage of the original area.) In the case of low power TV and TV translator stations authorized under Part 74, it is any change in:

(i) frequency (output channel) assignment;

(ii) transmitting antenna system including the direction of the radiation, directive antenna pattern or transmission line;

(iii) antenna height;

(iv) antenna location exceeding 200 meters;

(v) authorized operating power; or

(vi) community or area to be served.

However, the FCC may, within 15 days after the acceptance of any other application for modification of facilities, advise the applicant that such application is considered to be one for a major change and therefore subject to the provisions of §§73.3580 and 1.1111 pertaining to major changes.

* * * * *

15. Section 73.3580 is amended by revising paragraphs (c) [introducation], (d)(3) [introduction], and (g) [introduction] to read as follows:

§73.3580 Local public notice of filing of broadcast applications.

* * * * *

(c) An applicant who files an application or amendment thereto which is subject to the provision of this Section, must give a notice of this filing in a newspaper. Exceptions to this requirement are applications for renewal of AM, FM, TV, and International broadcast stations; low power TV stations; TV and FM translator stations; FM booster stations; and applications subject to paragraph (e) of this Section. The filing notice shall be given in a newspaper either immediately following the tendering for filing of the application or amendment, or immediately following notification to the applicant by the FCC that a major change is involved requiring the applicant to give public notice pursuant to §§ 73.3571, 73.3572, 73.3573, or 73.3578.

(1) * * *

* * * * *

(d) * * *

* * * * *

(3) An applicant who files for modification, assignment or transfer of a broadcast station license (except for International broadcast, low power TV, TV translator, FM translator, and FM booster stations) shall give notice of the filing in a newspaper as described in paragraph (c) above, and also broadcast the same notice over the station as follows:

(i) * * *

* * * * *

(g) An applicant who files an application or amendment thereto for a low power TV, TV translator, FM translator, or FM booster station must give notice of this filing in a daily, weekly, or biweekly newspaper of general circulation in the community or area to be served. The filing notice will be given immediately following the tendering for filing of the application or amendment or immediately following notification to the applicant by the FCC that public notice is required pursuant to §§ 73.3571, 73.3572, 73.3573, or 73.3578.

(1) * * *

* * * * *

16. Section 73.3594 is amended by revising paragraphs (a) [introduction, (b) [introduction], (f) [introduction] and (f)(2) to read as follows:

§73.3594 Local public notice of designation for hearing.

(a) Except as otherwise provided in paragraph (c) of this Section when an application subject to the provisions of §73.3580 (except for applications for International broadcast, low power TV, TV translator, FM translator, and FM booster stations) is designated for hearing, the applicant shall give notice of such designation as follows: Notice shall be given at least twice a week, for 2 consecutive weeks within the 3-week period immediately following release of the FCC's order, specifying the time and place of the commencement of the hearing, in a daily newspaper of general circulation published in the community in which the station is located or proposed to be located.

(1) * * *

* * * * *

(b) When an application which is subject to the provisions

of §73.3580 and which seeks modification, assignment, transfer, or renewal of an operating broadcast station is designated for hearing (except for applications for an International broadcast, low power TV, TV translator, FM translator, or FM booster stations), the applicant shall, in addition to giving notice of such designation as provided in paragraph (a) of this Section, cause the same notice to be broadcast over that station at least once daily on 4 days in the second week immediately following the release of the FCC's order, specifying the time and place of the commencement of the hearing. In the case of both commercial and noncommercial TV broadcast stations such notice shall be broadcast orally with the camera focused on the announcer. The notice required by this paragraph shall be broadcast during the following periods:

(1) * * *

* * * * *

(f) When an application for a low power TV, TV translator, FM translator, or FM booster station which is subject to the provisions of §73.3580 is designated for hearing, the applicant shall give notice of such designation as follows: Notice shall be given at least once during the 2-week period immediately following release of the FCC's order, specifying the time and place of the commencement of the hearing in a daily, weekly or biweekly publication having general circulation in the community or area to be served. However, if there is no publication of general circulation in the community or area to be served, the applicant shall determine an appropriate means of providing the rive notice of such designation as follows: Notice shall be given at least once during the 2-week period immediately following release of the FCC's order, specifying the time and place of the commencement of the hearing in a daily, weekly or biweekly publication having general circulation in the community or area to be served. However, if there is no publication of general circulation in the community or area to be served, the applicant shall determine an appropriate means of providing the required notice to the general public, such as posting in the local post office or other public place. The notice shall state:

(1) * * *

(2) The call letters, if any, of the station or stations involved, the output channel or channels of such stations, and, for any rebroadcasting, the call letters, channel and location of the station or stations being or proposed to be rebroadcast.

* * * * *

17. Section 73.3597 is amended by revising paragraphs (a)(1) and (e)(1)(i) to read as follows:

§73.3597 Procedures on transfer and assignment applications.

(a) * * *

(1) The application involves a low power TV, TV translator, FM translator, or FM booster station only;

* * * * *

(e) * * *

(1) * * *

(i) "Unbuilt station" refers to an AM, FM, or TV broadcast station or a low power TV station for which a construction permit is outstanding, and, regardless of the stage of physical completion, for which program tests have not commencedor, if required, been authorized.

* * * * *

18. Section 73.3598 is amended by revising paragraph (b) to read as follows:

§73.3598 Period of construction.

* * * * *

(b) Other broadcast, auxiliary and Instructional TV Fixed Stations. Each original permit for the construction of a new AM, FM, or International broadcast; low power TV; TV translator, FM translator; FM booster; broadcast auxiliary; or Instructional TV Fixed station, or to make changes in such existing stations, shall specify a period of 12 months within which construction shall be completed and application for license be filed.

19. Section 73.3613 is amended by revising paragraph (a)(1) to read as follows:

§73.3613 Filing of contracts.

* * * * *

(a) * * *

(1) All network affiliation contracts, agreements, or understandings between a TV broadcast or low power TV station and a national, regional, or other network.

* * * * *

20. Section 74.15 is amended by revising paragraph (d) [introduction] to read as follows:

§74.15 License period.

* * * * *

(d) Initial licenses for low power TV, TV translator, and FM translator stations will ordinarily be issued for a period running until the date specified in this Section for the State or territory in which the station is located or, if issued after such date, to the next renewal date determined in accordance with this Section. When renewed, low power TV and TV translator station licenses will ordinarily be renewed for 5 years and FM translator station licenses be renewed for 7 years. However, if the FCC finds that the public interest, convenience, or necessity will be served, it may issue either an initial license or a renewal thereof for a lesser term. The time of expiration of all licenses will be 3.a.m., local time, on the following dates, and, thereafter, at 5-year intervals for low power TV and TV translator stations and at 7-year intervals for FM translator stations:

(1) * * *

* * * * *

21. Section 74.432 is amended by revising paragraph (a) to read as follows:

§74.432 Licensing requirements and procedures.

(a) A license for a broadcast remote pickup station or system will be issued only to the licensee of an AM, FM, noncommercial educational FM, TV, or International broadcast station; low power TV station; or to an elgible network entity. To be eligible, a network entity must provide a program service for simultaneous transmission by 10 or more stations through circuit facilities available for program distribution to each affiliated station at least 12 hours of each day.

* * * * *

22. Section 74.601 in its entirety to read as follows:

§74.601 Classes of TV broadcast auxiliary stations.

(a) TV pickup station A land mobile station used for the transmission of television program material and related

communications from the scenes of events occurring at points removed from the station studios to TV broadcast and low power TV stations.

(b) TV STL station (studio-transmitter link). A fixed station used for the transmission of television program material and related communications from the studio to the transmitter of a TV broadcast or low power TV station.

(c) TV intercity relay station. A fixed station used for intercity transmission of television program material and related communications for use by TV broadcast and low power TV stations.

(d) TV translator relay station. A fixed station used for relaying programs and signals of TV broadcast stations to LPTV, TV translator, and other communications facilities that the FCC may authorize.

(e) TV broadcast licensee. Licensees and permittees of both TV broadcast and low power TV stations, unless specifically otherwise indicated.

23. Section 74.602 is amended by revising paragraph (h) and deleting reserved paragraph (i) as follows:

§74.602 Frequency assignment.

* * * * *

(h) TV auxiliary stations licensed to low power TV stations and translator relay stations will be assigned on a secondary basis, i.e., subject to the condition that no harmful interference is caused to other TV auxiliary stations assigned to TV broadcast stations, or to community antenna relay stations (CARS) operating between 12,700 and 13,200 MHz. Auxiliary stations licensed to low power TV stations and translator relay stations must accept any interference caused by stations having primary use of TV auxiliary frequencies.

24. The undesignated title of Subpart G of Part 74 is amended to read as follows:

SUBPART G - LOW POWER TV AND TV TRANSLATOR STATIONS.

25. Section 74.701 is amended by adding new paragraphs (f) and (g) to read as follows:

§74.701 Definitions.

* * * * *

(f) Low power TV station. A station authorized under the provisions of this Subpart that may retransmit the programs and signals of a TV broadcast station and that may originate programming in any amount greater than 30 second per hour and/or operates a subscription service. (See §73.641 of Part 73.)

(g) Program origination. For purposes of this Part, program origination shall be any transmissions other than the simultaneous retransmission of the programs and signals of a TV broadcast station. Origination shall include locally generated television program signals and program signals obtained via video recordings (tapes and discs), microwave, common carrier circuits, or other sources.

26. Section 74.702 is revised in its entirety to read as follows:

§74.702 Channel assignments.

(a) An applicant for a new low power TV or TV translator station or for changes in the facilities of an authorized station shall endeavor to select a channel on which its operation is not likely to cause interference. The applications must be specific with regard to the channel requested. Only one channel will be assigned to each station.

(1) Any one of the 12 standard VHF Channels (2 to 13, inclusive) may be assigned to a VHF low power TV or TV translator station. Channels 5 and 6 are allocated for nonbroadcast use in Alaska, and will not be assigned to a VHF low power TV or TV translator station in that State.

(2) Any one of the UHF Channels from 14 to 69, inclusive, may be assigned to a UHF low power TV or TV translator station. In accordance with §73.603(c) of Part 73, Channel 37 will not be assigned to such stations.

(3) Application for new low power TV or TV translator stations or for changes in existing stations, specifying operation on output Channels from 70 through 83 will not be accepted for filing. License renewals for TV translator stations operating on those channels will be granted only on a secondary basis to land mobile radio operations.

(b) Changes in the TV Table of Assignments (§73.606(b) of Part 73), authorizations to construct new TV broadcast stations or to change facilities of existing ones, may be made without regard to existing or proposed low power TV or TV translator stations. Where such a change results in a low power TV or TV translator station causing actual interference to reception of the TV broadcast station, the licensee of the low power TV or TV translator station shall eliminate the interference or file an application for a change in channel assignment.

27. Section 74.703 is revised in its entirety to read as follows:

§74.703 Interference.

(a) An application for a new low power TV or TV translator station or for changes in the facilities of an authorized station will not be granted when it is apparent that interference will be caused. The licensee of a new low power TV or TV translator station shall protect existing low power TV and TV translator stations from interference within the protected contour defined in §74.707 of this Part.

(b) It shall be the responsibility of the licensee of a low power TV or TV translator station to correct at its expense any condition of interference to the direct reception of the signals of a TV broadcast station operating on the same channel as that used by the low power TV or TV translator station or on an adjacent channel, which occurs as the result of the operation of the low power TV or TV translator station. Interference will be considered to occur whenever reception of a regularly used signal is impaired by the signals radiated by the low power TV or TV translator station, regardless of the quality of such reception or the strength of the signal so used. If the interference cannot be promptly eliminated by the application of suitable techniques, operation of the offending low power TV or TV translator stations shall be suspended and shall not be resumed until the interference has been eliminated. If the complainant refuses to permit the low power TV or TV translator licensee to apply remedial techniques that demonstrably will eliminate the interference without impairment of the original reception, the licensee of the low power TV or TV translator station is absolved of further responsibility.

(c) It shall be the responsibility of the licensee of a low power TV or TV translator station to correct any condition of interference which results from the radiation of radio frequency energy outside its assigned channel. Upon notice by the FCC to the station licensee or operator that such interference is caused by the spurious emissions of the station, operation of the station shall be immediately suspended and not resumed until the interference has been eliminated. However, short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

(d) When a low power TV or TV translator station causes interference to a CATV system by radiations within its assigned channel at the cable headend or on the output channel of any system converter located at a receiver, the earlier user, whether cable system or low power TV or TV translator station, will be given priority on the channel, and the later user will be responsible for correction of the interference.

(e) Low power TV and TV translator stations are being authorized on a secondary basis to existing land mobile uses and must correct whatever interference they cause to land mobile stations or cease operation.

(f) In each instance where suspension of operation is required, the licensee shall submit a full report to the FCC in Washington, D.C., after operation is resumed, containing details of the nature of the interference, the source of the interfering signals, and the remedial steps taken to eliminate the interference.

28. New Section 74.705 is added to read as follows:

§74.705 TV broadcast station protection.

(a) The TV broadcast station protected contour shall be its Grade B contour as defined in §73.683 of Part 73.

(b)(1) An application to construct a new low power TV or TV translator station or change the facilities of an existing station will not be accepted if it specifies a site which is within the protected contour of a co-channel or first adjacent channel TV broadcast station.

(2) Due to the frequency spacing which exists between TV Channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, adjacent channel protection standards shall not be applicable to these pairs of channels. (See §73.603(a) of Part 73.)

(3) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site within the UHF TV broadcast station's protected contour and proposes operation on a channel either 14 or 15 channels above the channel in use by the TV broadcast station.

(4) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site less than 100 kilometers from the transmitter site of a UHF TV broadcast station operating on a channel which is the seventh channel above the requested channel.

(5) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site less than 32 kilometers from the transmitter site of a UHF TV broadcast station operating on a channel which is the second, third, fourth, or fifth channel above or below the requested channel.

(c) The low power TV or TV translator station field strength is calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of §73.699 (F(50,10)

(2) For low power TV or TV translator applications that do not specify the same channel as the TV broadcast station to be protected, the field strength is calculated using Figure 9, 10, or 10b of §73.699 (F(50,50) charts) of Part 73.

(d) A low power TV or TV translator station application will not be accepted if the ratio in dB of its field strength to that of the TV broadcast station at its protected contour fails to meet the following:

(1) -45 dB for co-channel operations without offset carrier frequency operation or -28 dB for offset carrier frequency operation. An application requesting offset carrier frequency operation must include the following:

(i) A requested offset designation (zero, plus, or minus) identifying the proposed direction of the 10 kHz offset from the standard carrier frequencies of the requested channel. If the offset designation is not different from that of the station being protected, the -45 dB ratio must be used.

(ii) A description of the means by which the low power TV or TV translator station's frequencies will be maintained within the tolerances specified in §74.761 of this Part for offset operation.

(2) 6 dB when the protected TV broadcast station operates on a VHF channel that is one channel above the requested channel.

(3) 12 dB when the protected TV broadcast station operates on a VHF channel that is one channel below the requested channel.

(4) 15 dB when the protected TV broadcast station operates on a UHF channel that is one channel above or below the requested channel.

(5) 23 dB when the protected TV broadcast station operates on a UHF channel that is fourteen channels below the requested channel.

(6) 6 dB when the protected TV broadcast station operates a UHF channel that is fifteen channels below the requested channel.

29. New Section 74.707 is added to read as follows:

§74.707 Low power TV and TV translator station protection.

(a)(1) A low power TV or TV translator will be protected from interference from other low power TV and TV translator

stations within the following predicted contours:

(i) 62 dBu for stations on Channels 2 through 6;

(ii) 68 dBu for stations on Channels 7 through 13; and

(iii) 74 dBu for stations on Channels 14 through 76.

(2) The low power TV or TV translator station protected contour is calculated from the authorized effective radiated power and antenna height above average terrain, using Figure 9, 10, or 10b of §73.699 (F(50,50) charts) of Part 73.

(b)(1) An application to construct a new low power TV or TV translator station or change the facilities of an existing station will not be accepted if it specifies a site which is within the protected contour of a co-channel or first adjacent channel low power TV or TV translator station.

(2) Due to the frequency spacing which exists between TV Channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, adjacent channel protection standards shall not be applicable to these pairs of channels. (See §73.603(a) of Part 73.)

(3) A UHF low power TV or TV translator construction permit application will not be accepted if it specifies a site within the UHF low power TV or TV translator station's protected contour and proposes operation on a channel either 7 channels below or 14 or 15 channels above the channel in use by the low power TV or TV translator station.

(c) The low power TV or TV translator construction permit application field strength is calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) For co-channel protection, the field strength is calculated using Figure 9a, 10a, or 10c of §73.699 (F(50,10) charts) of Part 73.

(2) For low power TV or TV translator applications that do not specify the same channel as the low power TV or TV translator station to be protected, the field strength is calculated using Figure 9, 10, or 10b of §73.699 (F(50,50) charts) of Part 73.

(d) A low power TV or TV translator station application will not be accepted if the ratio in dB of its field strength to that of the authorized low power TV or TV translator station at its protected contour fails to meet the following:

(1) -45 dB for co-channel operations without offset carrier frequency operation or -28 dB for offset carrier frequency operation. An application requesting offset carrier frequency operation must include the following:

(i) A requested offset designation (zero, plus, or minus) identifying the proposed direction of the 10 kHz offset from the standard carrier frequencies of the requested channel. If the offset designation is not different from that of the station being protected, or if the station being protected is not maintaining its frequencies within the tolerance specified in §74.761 of this Part for offset operation, the -45 dB ratio must be used.

(ii) A description of the means by which the low power TV or TV translator station's frequencies will be maintained within the tolerances specified in §74.761 of this Part for offset operation.

(2) 6 dB when the protected low power TV or TV translator station operates on a VHF channel that is one channel above the requested channel.

(3) 12 dB when the protected low power TV or TV translator station operates on a VHF channel that is one channel below the requested channel.

(4) 15 dB when the protected low power TV or TV translator station operates on a UHF channel that is one channel above or below the requested channel.

(5) 0 dB when the protected low power TV or TV translator station operates on a UHF channel that is seven channels above the requested channel.

(6) 23 dB when the protected low power TV or TV translator station operates on a UHF channel that is fourteen channels below the requested channel.

(7) 6 dB when the protected low power TV or TV translator station operates a UHF channel that is fifteen channels below the requested channel.

30. New Section 74.709 is added to read as follows:

§74.709 Land mobile station protection.

(a) Stations in the Land Mobile Radio Service, using the following channels in the indicated cities will be protected from interference caused by low power TV or TV translator stations, and low power TV and TV translator stations must accept any interference from stations in the land mobile service operating on the following channels:

CITY	CHANNELS	COORDINATES (LAT/LONG)
Boston, MA	14, 16	42-21-24/071-03-24
Chicago, IL	14, 15	41-52-28/087-38-22
[illegible]	14, 15	41-29-51/081-41-50

Dallas, TX	16	32-47-09/096-47-37
Detroit, MI	15, 16	42-19-48/083-02-57
Houston, TX	17	29-45-26/095-21-37
Los Angeles, CA	14, 20	34-03-15/118-14-28
Miami, FL	14	25-46-37/080-11-32
New York, NY	14, 15	40-45-06/073-59-39
Philadelphia, PA	19, 20	39-56-58/075-09-21
Pittsburgh, PA	14, 18	40-26-19/080-00-00
San Francisco, CA	16, 17	37-46-39/122-24-40
Washington, DC	17, 18	38-53-51/077-00-33

(b) The protected contours for the land mobile radio service are 130 kilometers from the above coordinates, except where limited by the following:

(1) If the land mobile channel is the same as the channel in the following list, the land mobile protected contour excludes the area within 145 kilometers of the corresponding coordinates from list below. Except if the land mobile channel is 15 in New York or Cleveland or 16 in Detroit, the land mobile protected contour excludes the area within 95 kilometers of the corresponding coordinates from the list below.

(2) If the land mobile channel is one channel above or below the channel in the following list, the land mobile protected contour excludes the area within 95 kilometers of the corresponding coordinates from the list below.

CITY	CHANNEL	COORDINATES (LAT/LONG)
San Diego, CA	15	32-41-48/116-56-10
Waterbury, CT	20	41-31-02/073-01-00
Washington, DC	14	38-57-17/077-00-17
Washington, DC	20	38-57-49/077-06-18
Champaign, IL	15	40-04-11/087-54-45
Jacksonville, IL	14	39-45-52/090-30-29
Ft. Wayne, IN	15	41-05-35/085-10-42
South Bend, IN	16	41-36-20/086-12-44
Salisbury, MD	16	38-24-15/075-34-45
Mt. Pleasant, MI	14	43-34-24/084-46-21
Hanover, NH	15	43-42-30/072-09-16
Canton, OH	17	40-51-04/081-16-37
Cleveland, OH	19	41-21-19/081-44-24
Oxford, OH	14	39-30-26/084-44-09
Zanesville, OH	18	39-55-42/081-59-06
Elmira-Corning, NY	18	42-06-20/076-52-17
Harrisburg, PA	21	40-20-44/076-52-09
Johnstown, PA	19	40-19-47/078-53-45
Lancaster, PA	15	40-15-45/076-27-49
Philadelphia, PA	17	40-02-30/075-14-24
Pittsburgh, PA	16	40-26-46/079-57-51
Scranton, PA	16	41-10-58/075-52-21
Parkersburg, WV	15	39-20-50/081-33-56
Madison, WI	15	43-03-01/089-29-15

(c) A low power TV or TV translator station application will not be accepted if it specifies a site that is within the protected contour of a co-channel or first adjacent channel land mobile assignment.

(d) The low power TV or TV translator station field strength is calculated from the proposed effective radiated power (ERP) and the antenna height above average terrain (HAAT) in pertinent directions.

(1) The field strength is calculated using Figure 10c of §73.699 (F(50,10) charts) of Part 73.

(2) A low power TV or TV translator station application will not be accepted if it specifies the same channel as one of the land mobile assignments and its field strength at the land mobile protected contour exceeds 52 dBu.

(3) A low power TV or TV translator station application will not be accepted if it specifies a channel that is one channel above or below one of the land mobile assignments and its field strength at the land mobile protected contour exceeds 76 dBu.

(e) In order to protect stations in the Offshore Radio Telecommunications Service, a low power TV or TV translator station construction permit application specifying operation on Channel 17 will not be accepted if it specifies a latitude south of the line 31° 30' North, and between longitudes 86° 30' West and 95° 30' West. An application specifying operation on either Channel 16 or Channel 18 will not be accepted if it specifies a latitude south of the line 31° 00' North and between longitudes 87° 00' West and 95° 00' West.

31. Section 74.731 is amended by revising paragraphs (g), (h), (i), and (j) to read as follows:

§74.731 Purpose and permissible service.

* * * * *

(g) Low power TV stations may operate under the following modes of service:

(1) As a TV translator station, subject to the requirements of this Part;

(2) For origination of programming and commercial matter as defined in §74.701(f) of this Part;

(3) For the transmission of subscription television broadcast (STV) programs, intended to be received in intelligible form by members of the public for a fee or charge, subject to the provisions of §§73.642(e) and (f)(3), and 74.644.

(h) A low power TV station may not be operated solely for the purpose of relaying signals to one or more fixed receiving [illegible] for retransmission, distribution or relaying.

(i) Low power TV stations are subject to no minimum required hours of operation and may operate in any of the 3 modes described in paragraph (g) above for any number of hours.

(j) An applicant for a 1 kW UHF TV translator station to operate on a channel assigned to a TV broadcast station which is not in operation, shall notify the licensee or permitee of the TV broadcast station, in writing, of the filing of the application and shall certify to the FCC that such notice has been given.

32. Section 74.732 is revised in its entirety to read as follows:

§74.732 Eligibility and licensing requirements.

(a) Subject to the restrictions described in paragraph (e) of this Section, a license for a low power TV or TV translator station may be issued to any qualified individual, organized group of individuals, broadcast station licensee, or local civil govenmental body.

(b) More than one low power TV or TV translator station may be licensed to the same applicant whether or not such stations serve substantially the same area. Low power TV and TV translator stations are not counted for purposes of §73.636 of Part 73, concerning multiple ownership.

(c) Only one channel will be assigned to each low power TV or TV translator station. Additional low power or translator stations may be authorized to provide additional reception. A sepatate application is required for each station and each application must be complete in all respects.

(d) The FCC will not act on applications for new low power TV or TV translator stations or for changes in facilities of existing stations when such changes will result in an increase in signal range in any horizontal direction until at least 30 days have elapsed since the date on which "Public Notice" is given by the FCC of acceptance for filing of such application, in order to afford interested parties opportunity to comment and afford opportunity for competing applications to be filed.

(e) A proposal to change the primary TV station being retransmitted or an application of a licensed translator station to include low power TV station operation, i.e., program origination or subscription service will be subject only to informal objections.

(f) Applications for transfer of ownership or control of a low power TV or TV translator station will be subject to

petitions to deny.

33. Section 74.734 is revised in its entirety to read as follows:

§74.734 Attended and unattended operation.

(a) In all circumstances other than during local origination (see §74.701(g)), low power TV and TV translator stations may be operated without a licensed radio operator in attendance if the following requirements are met:

(1) If the transmitter site cannot be promptly reached at all hours and in all seasons, means shall be provided so that the transmitting apparatus can be turned on and off at will from a point that readily is accessible at all hours and in all seasons.

(2) The transmitter also shall be equipped with suitable automatic circuits that will place it in a nonradiating condition in the absence of a signal on the input channel or circuit.

(3) The transmitting and the ON/OFF control, if at a location other than the transmitter site, shall be adequately protected against tampering by unauthorized persons.

(4) The FCC shall be supplied with the name, address, and telephone number of a person or persons who may be called to secure suspension of operation of the transmitter promptly should such action be deemed necessary by the FCC. Such information shall be kept current by the licensee.

(5) In cases where the antenna and supporting structure are considered to be a hazard to air navigation and are required to be painted and lighted under the provisions of Part 17 of the Rules, the licensee shall made suitable arrangements for the daily observations, when required, and lighting equipment inspections required by §§17.37 and 17.38 of the FCC rules.

(6) In the case of a low power TV or TV translator station using modulating equipment, observation of the transmitted program signal on a suitable receiver shall be made for at least 10 continuous minutes each day by a person designated by the licensee, who shall institute measures sufficient to assure prompt correction of any condition of improper operation that is observed.

(b) An application for authority to construct a new low power TV station (when rebroadcasting the programs of another station) or TV translator station or to make changes in the facilities of an authorized station, and that proposes unattended operation, shall include an adequate showing as to the manner of

compliance with this Section.

34. Section 74.735 is amended by revising paragraphs (a), (b) [introduction only], (c), (d), and (e); and adding new paragraph (f) to read as follows:

§74.735 Power limitation.

(a) The power output of the final radiofrequency amplifier of a VHF low power TV or TV translator station, except as provided for in paragraphs (d) and (f) of this Section shall not exceed 0.01 kW peak visual power. A UHF station shall be limited to a maximum of 1 kW peak visual power, except as provided for in paragraph (f) of this Section. In no event shall the transmitting apparatus be operated with a power output in excess of the manufacturer's rating.

(b) In individual cases, the FCC may authorize the use of more than one final radio frequency amplifier at a single VHF or UHF station under the following conditions:

(1) * * *

* * * * *

(c) No limit is placed upon the effective radiated power that may be obtained by the use of horizontally or vertically polarized directive transmitting antennas, provided the provisions of §§74.705, 74.707, and 74.709 are met.

(d) VHF low power TV and TV translator stations authorized on channels listed in the TV table of allocations (see §73.606(b) of Part 73) will be authorized a maximum output power of the radio frequency amplifier of 0.1 kW peak visual power.

(e) The power output of the final radio amplifier of a VHF or UHF transmitter may be fed into a single transmitting antenna, or may be divided between two or more transmitting antennas or antenna arrays in any manner found useful or desirable by the licensee.

(f) A station proposing to use antenna(s) designed for circularly polarized radiation may be authorized to use a type accepted transmitter or parallel connected of two type accepted translator amplifiers to operate at peak visual output power of twice that specified under the maximum transmitter power limitations given above in this Section.

35. Section 74.736 is amended by revising paragraph (a) to read as follows:

§74.736 Emissions and bandwidth.

(a) The license of a low power TV or TV translator station station authorizes the transmissions of the visual signal by amplitude modulation (A5) and the accompaning aural signal by frequency modulation (F3).

* * * * *

36. Section 74.737 is revised in its entirety to read as follows:

§74.737 Antenna location.

(a) An applicant for a new low power TV or TV translator station or for a change in the facilites of an authorized station shall endeavor to select a site that will provide a line-of-sight transmission path to the entire area intended to be served and at which there is available a suitable signal from the primary station, if any, that will be retransmitted.

(b) The transmitting antenna should be placed above growing vegitation and trees lying in the direction of the area intended to be served, to minimize the possibility of signal absorption by foliage.

(c) A site within 8 kilometers of the area intended to be served is to be preferred if the conditions in paragraph (a) of this Section can be met.

(d) Consideration should be given to the accessibility of the site at all seasons of the year and to the availability of facilities for the maintenance and operation of the transmitting equipment.

(e) The transmitting antenna should be located as near as is practical to the transmitter to avoid the use of long transmission lines and the associated power losses.

(f) Consideration should be given to the existence of strong radio frequency fields from other transmitters at the site of the transmitting equipment and the possibility that such fields may result in the retransmissions of signals originating on frequencies other than that of the primary station being rebroadcast.

37. Section 74.750 is amended by revising the headnote and paragraphs (a), (b), (c) [introduction], (c)(3)(iii), (c)(7), (d) [introduction], (d)(1), (e)(1), (e)(2), (e)(3), and (g) to read as follows:

§74.750 Transmission system facilities.

(a) Application for new low power TV and TV translator stations and for increased transmitter power for previously authorized facilities will not be accepted unless the transmitter is listed in the FCC's list of equipment type accepted for licensing under the provisions of this Subpart.

(b) Transmitting antennas, antennas used to receive the signals to be rebroadcast, and transmission lines are not type accepted by the FCC. External preamplifiers also may be used provided that they do not cause improper operation of the transmitting equipment, and use of such preamplifiers is not necessary to meet the provisions of paragraph (c) of this Section.

(c) The following requirements must be met before low power TV and TV translator transmitters will be type accepted by the FCC:

(1) * * *

* * * * *

(3) * * *

* * * * *

(iii) plus or minus 1 kHz of its rated frequency for transmitters to be used at stations employing offset carrier frequency operation.

* * * * *

(5) The apparatus must be equipped with automatic controls that will place it in a non-radiating condition when no signal is being received on the input channel, either due to absence of a transmitted signal or failure of the receiving portion of the facilities used for rebroadcasting the signal of another station. The automatic control may include a time delay feature to prevent interruptions caused by fading or other momentary failures of the incoming signal.

(6) * * *

(7) The transmitters of over 0.001 kW peak visual power (0.002 kW when circularly polarized antennas are used) shall be equipped with an automatic keying device that will transmit the call sign of the station, in International Morse Code, at lease once each hour during the time the station is in operation when operating in the translator mode retransmitting the programming of a TV broadcast station. However, the identification by Morse Code is not required if the licensee of the low power TV or TV translator station has an agreement with the TV broadcast station being rebroadcast to transmit the aurally or visually the low power TV or TV translator station

call as provided for in §74.783. Transmission of the call sign can be accomplished by:

(i) * * *

* * * * *

(d) Low power TV and TV translator transmitting equipment using a modulation process for either program origination or rebroadcasting must meet the following requirements:

(1) The equipment shall meet the requiirements of paragraphs (1)(1), (a)(2), (a)(3), (b)(1), and (b)(7) of §73.687.

* * * * *

(e) * * *

(1) Any manufacturer of apparatus intended for use at low power TV or TV translator stations may request type acceptance by following the procedures set for in Part 2, Subpart J, of this Chapter. Equipment found to be acceptable by the FCC will be listed in the "Radio Equipment List" published by the FCC. These lists are available for inspection at the FCC headquarters in Washington, D.C. or at any of its field offices.

(2) Low power TV and TV translator transmitting apparatus that has been type accepted by the FCC will normally be authorized without additional measurements from the applicant or licensee.

(3) Applications for type acceptance of modulators to be used with exisiting type accepted TV translator apparatus must include the specifications electrical and mechanical interconnecting requirements for the apparatus with which it is designed to be used.

* * * * *

(g) Low Power TV or TV translator stations installing new type accepted transmitting apparatus incorporating modulating equipment need not make equipment performance measurements and shall so indicate on the station license application. Stations adding new or replacing modulating equipment to existing low power TV or TV translator transmitting apparatus must have an operator holding a General Radiotelephone Operator License examine the transmitting system after installation. This operator muat certify in the application for the station license that the transmitting equipment meets the requirement of paragraph (d)(1) of this Section. A report of the methods, measurements, and results must be kept in the station records. However, stations using modulating equipment solely for the limited local origination of signals permitted by §74.731 need not comply with the requirements of this paragraph.

38. Section 74.751 is amended by revising paragraphs (b)(1), (b)(2), (b)(6), and (c), and adding new paragraph (d) to read as follows:

§74.751 Equipment changes.

* * * * *

(b) * * *

(1) Replacement of the transmitter as a whole, except replacement with a transmitter of identical power rating which has been type accepted by the FCC for use by low power TV and TV translator stations, or any change which could result in a change in the electrical characteristics or performance of the station.

(2) Any change in the transmitting antenna system, including the direction of radiation, directive antenna pattern, antenna gain, transmission line loss characteristics, or height of antenna center of radiation.

* * * * *

(6) Any changes in the location of the transmitter except within the same building or upon the same pole or tower.

* * * * *

(c) Other equipment changes not specifically referred to in paragraph (a) or (b) above many be made at the discretion of the licensee, provided that the Engineer in Charge of the Radio District in which the low power TV or TV translator station is located and the FCC in Washington, D.C., are notified in writing upon completion of such changes, and that the changes are appropriately reflected in the next application for renewal of the station license.

(d) Upon installation of new or replacement transmitting equipment for which prior FCC authority is not required under the provisions of this Section, the licensee must place in the station records a certification that the new installation complies in all respects with the technical requirements of this part and the station authorization.

* * * * *

39. Section 74.761 is amended by revising the introduction and adding new paragraph (d) to read as follows:

§74.761 Frequency tolerance.

The licensee of a low power TV or TV translator station shall maintain the transmitter output frequencies as set forth below. The frequency tolerance of stations using direct frequency conversion of a received signal and not engaging in offset carrier operation as set forth in paragraph (d) of this Section will be referenced to the authorized plus or minus 10 kHz offset, if any, of the primary station.

* * * * *

(d) The visual carrier shall be maintained to within 1 kHz of the assigned channel carrier frequency if the low power TV or TV translator station is authorized with a specified offset designation in order to provide protection under the provisions of §74.705 or §74.707 of this Part.

40. Section 74.762 is amended in its entirety to read as follows:

§74.762 Frequency measurements.

(a) The licensee of a low power TV or TV translator station is not required to provide a means for measuring the operating frequencies of the transmitter. However, only equipment having the required stability will be type accepted for use by low power TV or TV translator stations.

(b) In the event that a low power TV or TV translator station is found to be operating beyond the frequency tolerance prescribed in §74.761, the licensee promptly shall suspend operation of the transmitter and shall not resume operation until transmitter has been restored to its assigned frequencies. Adjustment of the frequency determining circuits of the transmitter shall be made only by a qualified person in accordance with §74.750(g).

41. Section 74.763 is revised by amending paragraphs (a) and (c) to read as follows:

§74.763 Time of operation.

(a) A low power TV or TV translator station is not required to adhere to any regular schedule of operation. However, the licensee of a TV translator station is expected to provide service to the extent that such is within its control and to avoid unwarranted interruptions in the service provided.

* * * * *

(c) Failure of a low power TV or TV translator station to operate for a period of 30 days or more, except for causes beyond the control of the licensee, shall be deemed evidence of discontinuation of operation and the license of the station may be cancelled at the discretion of the FCC.

* * * * *

42. Section 74.764 is revised in its entirety to read as

follows:

§74.764 Station inspections.

The licensee of a low power TV or TV translator station shall make the station and the records required to be kept by the rules in this Part available for inspection by representatives of the FCC.

43. Section 74.765 is amended in its entirety to read as follows:

§74.765 Posting of station and operator licenses.

(a) The station license and any other instrument of authorization or individual order concerning the construction of the station or manner of operation shall be kept in the station record file so as to be available for inspection upon request of authorized representatives of the FCC.

(b) The licenses or permits of operators employed at low power TV stations originating programs shall be posted in accordance with the provisions of §73.1230(b) of Part 73.

(c) The call sign of the station, together with the name, address, and telephone number of the licensee or local representative of the licensee, if the licensee does not reside in the community served by the station, and the name and address of the person and place where the station records are maintained, shall be displayed at the transmitter site on the structure supporting the transmitting antenna, so as to be visible to a person standing on the ground. The display shall be maintained in legible condition by the licensee.

44. Section 74.766 is amended by revising the headnote and adding new paragraph (e) to read as follows:

§74.766 Low power TV and TV translator operator requirements.

* * * * *

(e) An operator holding any class of FCC operator license or permit, except the Marine Operator Permit, must be on duty in charge of the transmitting apparatus of a low power TV station during all periods of program origination as defined in Section 74.701(g).

The following rules are applicable to programs originated by low power TV stations:

(a) §73.658, "Affiliation agreements and network program practices; territorial exclusivity in non-network program arrangements."

(b) §73.1202, "Station identification."

(c) §73.1205, "Fraudulent billing practices."

(d) §73.1206, "Broadcast of telephone conversations."

(e) §73.1207, "Rebroadcasts."

(f) §73.1208, "Broadcast of taped, filmed, or recorded material."

(g) §73.1211, "Broadcast of lottery information."

(h) §73.1212, "Sponsorship identification; list retention; related requirements."

(i) §73.1216, "Licensee-conducted contests."

(j) §73.1940, "Broadcasts by candidates for public office."

(k) §73.2080, "Equal employment opportunities."

(l) Part 73, Subpart G, "Emergency Broadcast System."

48. Section 74.783 is amended by revising the introducation of paragraph (a) and paragraph (c) and adding new paragraph (d) to read as follows:

§74.783 Station identification.

(a) Each TV translator station over 0.001 kW peak visual power (0.002 kW when using circularly polarized antennas) must transmit its station identification as follows:

(1) * * *

* * * * *

(c) A low power TV station shall comply with the station identification procedures given in §73.1201 of Part 73 when originating programming (See Section 74.701(g)). The identification procedures given in paragraphs (a) and (b) are to be used when programs of another station are being rebroadcast.

(d) Call signs for low power TV and TV translator stations

will be made up of the initial letter K or W followed by the channel number assigned to the station and two additional letters. The use of the initial letter generally will follow the pattern used in the broadcast serice, i.e., stations west of the Mississippi River will be assigned an initial letter K and those east, the letter W. The two letter combinations following the channel number will be assigned in order and requests for the assignment of the particular combinations of letters will not be considered. The channel number designator for Channels 2 through 9 will be incorporated in the call sign as a 2-digit number, i.e., 02, 03,...., so as to avoid similarities with call signs assigned to amateur radio stations.

49. Section 74.784 is amended by revising paragraphs (b) and (c) and adding new paragraph (d) to read as follows:

§74.784 Rebroadcasts.

* * * * *

(b) The licensee of a low power TV or TV translator station shall not rebroadcast the programs of any other TV broadcast station or other station authorized under the provisions of this Subpart without obtaining prior consent of the station whose signals or programs are proposed to be retransmitted. The FCC shall be notified of the call letters of each station rebroadcast and the licensee of the low power TV or TV broadcast translator station shall certify that written consent has been obtained from the licensee of the station whose programs are retransmitted.

(c) A TV translator station may rebroadcast only programs and signals that are simultaneously transmitted by a TV broadcast station.

(d) The provisions of §73.1207 of Part 73 apply to low power TV stations in transmitting any material during periods of program origination obtained from the transmissions of any other type of station.

50. Section 74.832 is amended by revising paragraphs (a)(1) and (c) to read as follows:

§74.832 Licensing requirements and procedures:

(a) * * *

(1) A licensee of an AM, FM, TV, or International broadcast station or low power TV station. Low power auxiliary stations will be licensed for use with a specific broadcast or low power TV station or combination of stations licensed to the same licensee within the same community.

* * * * *

(c) Licensees of AM, FM, TV, and International broadcast stations; low power TV stations; and eligible network entities may be authorized to operate low power auxiliary stations in the frequency bands set forth in §74.802(a).

51. Section 76.501 is amended by revising paragraph (a)(2) and deleting paragraph (a)(3) in its entirety as follows:

§76.501 Cross-ownership

(a) * * *

(1) * * *

(2) A TV broadcast station whose predicted Grade B contour, computed in accordance with §73.684 of Part 73, overlaps in whole or in part the service area of such system (i.e., the area within which the system is serving subscribers).

(3) [Deleted.]

52. Section 76.605 is amended by revising paragraph (a)(9)(iii) to read as follows:

§76.605 Technical standards.

(a) * * *

* * * * *

(9) * * *

* * * * *

(iii) Each signal that is first received by the cable television system by direct video feed from a TV broadcast station or a low power TV station.

* * * * *

53. Section 78.1 AMENDED;

The last sentence in Section 78.1 is revised to read as follows:

In addition CARS stations may be used to transmit television and related audio signals to TV translator and low power TV stations.