



Virginia Association of Broadcasters Legal Review



Brooks, Pierce, McLendon, Humphrey & Leonard, LLP
Counsel to VAB • (919) 839-0300

250 West Main Street, Suite 100
Charlottesville, VA 22902 • (434) 977-3716

REMINDER

REMINDER

* * * * *

January 13, 2014

* * * * *

SUBMITTING COMMENTS TO FCC IN AM RADIO REVITALIZATION PROCEEDING: A HOW-TO GUIDE FOR INTERESTED ASSOCIATION MEMBERS

Association members may wish to submit comments in the FCC’s current proceeding regarding the revitalization of AM radio broadcasting. Comments are due **January 21, 2014**, and reply comments are due **February 18, 2014**.

As we have previously reported, late last year the Commission released a Notice of Proposed Rulemaking (the “*Notice*”) seeking comment on new proposals intended to support local AM radio stations that seek to make changes in their operating facilities.

The highlights of these proposals include:

- * Opening an FM translator filing window only for AM licensees and permittees;
- * Relaxing the daytime and nighttime community coverage standards for existing AM stations, to give existing AM broadcasters more flexibility to propose antenna site changes;
- * Eliminating the AM “ratchet” rule, which currently requires an AM station seeking to make facility changes that would modify the station’s signal to demonstrate that the improvements would result in an overall reduction in interference to certain other stations;
- * Permitting wider implementation of MDCL (modulation-dependent carrier level) technologies, which are transmitter control techniques that allow AM stations to reduce power consumption, by adopting a procedure only requiring stations to give notice to the Commission 10 days in advance of such implementation;

- * Modifying AM antenna efficiency standards, which would reduce minimum effective field strength values, thus allowing the use of shorter AM antennas.

For more information about the proposals in the *Notice* and the questions posed for comment, please see our Legal Review dated November 15, 2013.

The FCC often relies on comments submitted by broadcasters to inform rulemaking proceedings with a direct impact on broadcasters. In this case, radio station members can help “move the needle” by submitting comments on any of these issues that may directly impact their operations. Your station may wish to offer specific evidence about how the proposals may positively impact your operations or other data in response to the questions posed for comment. Given the technical nature of many of the issues, station engineers (and outside consulting engineers) may be a source of valuable information.

* * *

Interested members may file comments and reply comments with the Commission electronically or by paper filing. An example template for comments is attached to this Legal Review as Attachment A. As noted above, comments are due January 21, 2014, and reply comments are due February 18, 2014.

To file electronically (i.e., a Word or PDF document), commenters should visit the following URL: <http://apps.fcc.gov/ecfs/> and click the “Submit a Filing” link. On the next page, commenters must complete the fields with required information—including the name and address of the filer and the proceeding number (the AM revitalization proceeding number is 13-249)—and follow the on-screen instructions to upload their comments.

For parties who prefer to make a paper filing, the FCC requires an original and one copy of each filing. Paper filings may be sent by hand, overnight courier delivery (such as FedEx), or by first-class or overnight mail, to the addresses listed below. All paper filings must include the proceeding number (13-249) and must be addressed to the Secretary, Office of the Secretary, Federal Communications Commission.

Hand deliveries and messenger deliveries should be directed to FCC Headquarters at 445 12th Street, SW, Room TW-A325, Washington, D.C. 20554, between 8:00am and 7:00pm. All hand deliveries must be held together with rubber bands or fasteners.

Paper filings by overnight courier delivery (such as FedEx) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, D.C. 20554.

* * * * *

For more information or for assistance preparing your filing, please contact the Association office or any of the undersigned.

BROOKS, PIERCE, McLENDON,
HUMPHREY & LEONARD, L.L.P.

Wade H. Hargrove
Mark J. Prak
Marcus W. Trathen
David Kushner
Coe W. Ramsey
Charles E. Coble
Charles F. Marshall
Stephen Hartzell
J. Benjamin Davis
Julia C. Ambrose
Elizabeth E. Spainhour
Eric M. David
Mary F. Peña
Laura S. Chipman
Timothy G. Nelson

* * * * *

This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

* * * * *

© 2014 Brooks, Pierce, McLendon, Humphrey & Leonard, L.L.P.

[Station Letterhead]

[Insert date of filing]

Via [Insert Filing Method – E.g., Electronic Comment Filing System/First-Class Mail/Overnight Delivery]

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20544
[Change address if using overnight delivery]

Re: In the Matter of Revitalization of the AM Radio Service
MB Docket No. 13-249

[Insert text of comments]

Respectfully submitted,

[Name of Licensee]

[Signature]
[Name of Officer or Representative]
[Address]
[Address]