

**Before The  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.**

In the Matter of	)	
	)	
Revision of Procedures Governing	)	MB Docket No. 05-210
Amendments To FM Table of Allotments and	)	RM-10960
Changes Of Community of Licenses in the	)	
Radio Broadcast Services.	)	
	)	

**REPLY COMMENTS OF REC NETWORKS**

1. REC Networks ("REC") is a supporter of locally owned and diverse radio. REC currently operates several Internet only radio stations. REC also operates several websites including the original LPFM Channel Search Tool<sup>1</sup>. REC Networks also represents the interests of independently owned Low Power FM ("LPFM") broadcast stations and their listeners. REC also follows issues that involve the availability of media in rural and underserved areas especially within our area of interest of Southern California, Nevada and Arizona.

2. REC continues to disagree with the filers who support a change of an FM commercial community of license through a minor change. The existing rulemaking process gives a period of opportunity for those to comment on how this change will impact their community<sup>2</sup>. While some changes in community of license may result in positive results, a majority of such proposed and granted changes have resulted in rural stations, sometimes being moved into different states to move to a more profitable metropolitan area. Such changes displace listeners in the rural area as well as displace listeners to well established secondary services in the urban areas.

3. REC agrees in part with the comments of Graham Brock Consultants who support minor change applications for city of license changes for non-commercial FM<sup>3</sup> as well as AM<sup>4</sup> stations.

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<sup>1</sup> - <http://www.LPFM.WS>

<sup>2</sup> - See also Entercom comments at 2, which also oppose city of license changes as minor changes.

<sup>3</sup> - Graham Brock comments at 3, du Triel Linden and Rackley at 1.

<sup>4</sup> - Graham Brock comments at 2.

REC supports minor change applications for city of license changes for non-commercial stations operating in the reserved band as well as AM stations operating between 540-1600 kHz<sup>5</sup>.

4. REC continues to support our proposed changes to the *Tuck* criteria<sup>6</sup> to redefine the points of the criteria to reflect changes in the industry and progress in our communities<sup>7</sup>. If the FCC decides to allow community of license changes for commercial FM to be done on a minor change, we do ask that the Commission also consider our proposal to expand the *Tuck* analysis area from the city grade contour to the protected service contour<sup>8</sup> and expand the "spotlight" community within the urbanized area that the *Tuck* compares the proposed community of license with to include all communities within the urbanized area as the "spotlight" community.

5. We agree with the majority that FCC systems need to be updated to allow for electronic filing of petitions for rulemaking and comments in rulemaking proceedings. We do also feel that the CDBS system be updated to allow for public comment on community of license changes for AM and non-commercial FM stations. If we have this capability, we should also expand the capability to allow for the filing of Petitions to Deny and Informal Objections on any CDBS application. Not only will this reach the goals in this proceeding but this will improve localism and public involvement in the application process by giving them easier access to the application process.

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<sup>5</sup> - We note that Baybridge Communications LLC raised the question about how this would impact city of license changes in the expanded AM band 1610-1700 kHz. REC specifically excluded this band from our support of minor changes by AM stations because like the FM band, the expanded AM band is also subject to allotments. REC would support city of license changes as minor change amendments in the expanded AM band if the actual transmitter location is not moved more than 20 km. We note that there is support for the creation of a Low Power AM (LPAM) broadcast service for which REC will be supporting using 9 channels between 1620-1700 kHz.

<sup>6</sup> - See *Faye and Richard Tuck*, 3 FCC Rcd 5374 (1988).

<sup>7</sup> - REC Networks comments at 11.

<sup>8</sup> - REC Networks comments at 12.

## **Conclusion**

6. This proceeding contains some proposals that will help improve the process for the future growth of the broadcast services. We do warn however, that certain aspects of this proposal are extremely dangerous and only serve to improve the bottom line of the concentrated corporate owners while leaving the general public, especially those in rural areas without any local avenues of free expression. Therefore REC does not support the change of community of license by a commercial FM station by a minor change application and instead supports the existing rulemaking process with some modifications to the *Tuck* process and some modifications to the frequency selection process where it comes to LPFM stations and other secondary users.

Respectfully Submitted,

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