

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

In the Matter of)
)
Digital Audio Broadcasting Systems and) MM Docket 99-325
Their Impact on The Terrestrial Broadcasting)
Systems)

REPLY STATEMENT OF REC NETWORKS

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. REC Networks also represents the interests of independently owned Low Power FM ("LPFM") broadcast stations and their listeners.

REC replies to a Motion to Dismiss recently filed by John Pavlica ("Pavlica"). In his *Motion*, Pavlica is requesting all iBiquity HD Radio™ transmissions on AM and FM cease until a new system can be developed that does not create additional first adjacent channel interference. REC agrees in part with Pavlica and supports this Motion to Dismiss.

On-air use of HD Radio on AM has demonstrated harmful first adjacent channel interference

REC is concerned about reports that we have been hearing from across the country from interference from the sidebands of AM stations operating HD Radio that is causing stations on first adjacent channels from being heard. This is only with a small number of stations actually running the HD Radio system. What's going to happen when Clear Channel puts all of their AM stations on HD Radio? This has the potential of destroying AM services, especially in rural white and gray areas.

An alternate DAB system for AM IBOC is available now

REC urges the Commission to consider an AM DAB system that does not place digital sidebands outside the 10 kHz bandwidth. REC endorses the use of the proven Digital Radio Mondiale (DRM) system as a DAB solution for both daytime and nighttime AM service. Not

only does DRM stay within the 10 kHz channel, it is also a standard system accepted by the International Telecommunications Union (ITU) with many different administrations endorsing the system, including Canada who may adopt DRM with the rest of the world while the United States insists on using the extra-wide signal produced by HD Radio.

REC urges the Commission to immediately terminate all Special Temporary Authorizations (STA) to AM stations operating the HD Radio system unless the bandwidth can be contained in the 10 kHz channel. In addition, REC is urging the Commission to permit AM broadcast stations to be allowed to operate digitally using the Digital Radio Mondiale system.

On FM, REC does not see a need for DAB

REC agrees with Pavlica that FM broadcasting can be better improved to compete with CD and MP3 players by improving receiver technology and keeping the FM band analog. In an *ex-parte* filing, REC has demonstrated that receiver technology such as the Motorola Symphony chipset can improve FM broadcast stations to near-CD quality. This can be done without creating new interference to first adjacent FM stations, especially to listeners in rural white and gray areas.

REC urges the Commission to work with the industry to develop an FM DAB system that operates either out-of-band or if it has to operate in-band, reduce the sidebands where it will not cause interference to first adjacent channels, have a non-proprietary technology as well as be available to Low Power FM (LPFM) stations operating on second adjacent channels from other LPFM stations operating digital.

Eureka is Not the Answer

REC however disagrees with Pavlica, that the Eureka 147 system (in its current form) should be considered for the United States. After doing additional research into the system, the Eureka 147 system in its current form favor large broadcast group owners who have multiple FM and AM stations in the same market and would less likely be available to LPFM, small non-commercial and minority-owned commercial stations. If a Eureka-like system is to be developed,

the sizes of the ensembles must be made smaller in order to allow each broadcast station (including LPFM stations) to be able to obtain an ensemble in their broadcast area.

Like with AM, REC would support an FM IBOC system only if the system employs non-proprietary technology and does not place any sidebands outside the FM station's 200 kHz bandwidth.

Conclusion

The current DAB system that has been authorized on an interim basis is severely flawed and is already creating adverse effects on first adjacent stations by the few stations that are currently operating the system, especially on AM. At a minimum, REC is requesting an immediate cessation of all AM Digital Audio Broadcasting (DAB) that broadcasts sidebands outside of the 10 kHz authorized bandwidth. We are also asking that AM broadcast stations also be authorized to operating competing DAB systems, such as Digital Radio Mondiale.

REC understands that the adoption of HD Radio is an *interim* authorization and that a overall evaluation of the development of DAB will be addressed on a future Commission action when/if DAB is codified in the rules.

REC feels that the public interest goes beyond the best interest of the broadcasters but also must take into consideration of the best interest of listeners. Right now, some radio stations are no longer listenable because of DAB sidebands.

Let's turn it all off and go back to the drawing board.

Respectfully submitted,

/S/

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