

FCC 66-1007

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

In the Matter of
REVISION OF FM BROADCAST RULES, PARTICULARLY AS TO ALLOCATION AND TECHNICAL STANDARDS (EDUCATIONAL FM CHANNELS) } Docket No. 14185

NOTICE OF INQUIRY

(Adopted November 9, 1966)

BY THE COMMISSION.

1. This proceeding, which concerns the overall revision of the FM broadcast station rules and technical standards, was instituted on July 5, 1961, by the issuance of a notice of inquiry, notice of proposed rulemaking, and memorandum opinion and order, FCC 61-833. All the matters discussed in that notice have been disposed of, with the exception of rules governing the 20 educational FM channels (channels 201 through 220, 88.1 through 91.9 Mc/s). In the first report and order in this proceeding issued on August 1, 1962, FCC 62-866, 33 FCC 309, we did not make any basic changes in the rules governing noncommercial educational stations with the exception of certain mileage-separation restrictions on assignments on the top three channels (218, 219, and 220) in order to control the impact to and from the bottom three commercial channels (221A, 222, and 223). Aside from these mileage-separation restrictions, educational stations are assigned on the basis of protecting the 1-mv/m contour of existing stations (see note to sec. 1.573(c) and sec. 73.207).

2. Based on our experience with television allocations and the commercial FM Table of Assignments, and the need for negotiations with the Canadian Government for a border agreement for the educational channels, we have tentatively reached the conclusion that a nationwide Table of Assignments for educational FM stations would best serve the educational radio needs of the country and would be the most effective and efficient manner in which this valuable portion of the spectrum may be utilized. We are, therefore, inviting comments on the proposed manner of making FM channels available to the various communities and the educational interests of the country. We are also inviting comments on various tentative criteria to be used in drafting an educational FM Table of Assignments to be discussed below.

3. One of our principal aims in this field is to provide for single signal coverage to as much of the population and area of the country as possible in order that the pertinent State bodies concerned with educational broadcasting can plan for statewide networks or regional networks where feasible. Beyond this, we propose to assign addi-

tional channels to communities to meet the local community and educational institutional needs insofar as possible within the available spectrum space. The number of assignments to be sought will be in accordance with the following:

<i>Population of Community:</i>	<i>Number of Assignments</i>
1,000,000 or over -----	5
250,000-1,000,000 -----	4
100,000-250,000 -----	3
50,000-100,000 -----	2
Less than 50,000 -----	1

It is recognized that in many cities it will not be possible to make the above number of assignments because of existing stations elsewhere, and, also, that no additional assignments are possible in several sections of the country for the same reason. Comments are requested particularly from State bodies as to the needs of their respective States for statewide networks, any plans they have made or are preparing for such operations, and the communities in which they seek assignments.

4. As to classes of stations, powers, and antenna heights, and minimum station and assignment separations, we propose to adopt the same standards as for commercial FM stations. We propose five class A channels, channels 201, 204, 206, 208, and 216, since these are the channels with the fewest stations using facilities greater than those for class A stations.¹ Such stations would be authorized powers up to 3 kw and antenna height of 300 feet above average terrain. Class B stations (those on the remaining channels in zone I) will be permitted 50 kw and 500 feet antenna height, and class C stations (those on class B/C channels in zone II) 100 kw and 2,000 feet antenna height. The minimum mileage requirements would be the same as specified in section 72.207 of the rules, and the minimum powers as in section 73.211. However, some educational stations operate with quite large facilities, and the view has sometimes been expressed that this is desirable for wide coverage and State or regional networking purposes. Comments are invited on whether the limits on facilities and separations should be different in the educational band.²

5. *10-W Stations.*—Of 314 educational FM stations authorized as of September 1966, 158—slightly more than half—are stations operating with transmitter power output of 10 w or less, which under our rules are permitted to operate without meeting some of the operating requirements imposed by the rules on other broadcast stations. These stations present certain problems. Operation with such limited power does not usually represent an efficient use of scarce spectrum space,

¹ There are about eight stations on these channels with facilities greater than the equivalent of a class A station, with a few only slightly more than class A. Comments are invited on whether these stations should be treated as if they were in fact class A operations or whether provisions should be made to give them protection greater than that accorded such stations.

² Comments are also invited on whether—once statewide coverage is provided for—provision should be made for a greater number of smaller stations by providing more class A channels than the five mentioned and whether the class A channels should be in one block of frequencies.

Parties are on notice that applications filed henceforth for facilities below the minima or exceeding the maxima mentioned for the particular channel will not necessarily be granted. The same applies to applications tendered henceforth for new 10-w stations (par. 5 above).

since coverage is often limited to a few miles.³ In addition, while these stations are often high-quality operations, presenting programming consistent with the educational purpose for which the noncommercial educational FM band is designed, in numerous instances it appears that they are really routine light entertainment media, similar to many commercial radio stations only without commercials. In this respect they appear to reflect what was in many cases their origin—an attempt to expand and replace carrier-current “campus radio” operations. In our view, therefore, the time may well be at hand when proper use of the increasingly crowded educational FM band requires restrictions on the further authorization and continuance of 10-w operations, and comments are invited on the following proposals:

(1) No further authorization of 10-w stations or other facilities not meeting the minimum for class A stations. However, upon a showing of need and public interest, waivers of this rule may be requested in specific situations.

(2) Existing 10-w stations may continue to operate on this basis, and will be included in the table and protected on the basis of the regular separations applicable to the class of channel on which they are assigned (class A or class B/C).⁴ However, the 10-w licensee will be permitted to operate on this basis only until the end of his present license period, and will then be required either to propose facilities meeting the minimum for his channel or surrender his authorization. As in the case of new stations, waiver of the provision will be considered in individual cases.

(3) Consideration will be given to rulemaking proposals to change the educational Table of Assignments by deleting one or more 10-w assignments in favor of regular assignments elsewhere, and unless the 10-w licensee indicates that before the end of his license period he will apply for at least the regular minimum facilities, his assignment may be deleted effective at the end of the license period; and if he so indicates and then does not so apply the assignment may be deleted without further proceedings.

6. Originally, it was contemplated that 10-w operations would be authorized only on channel 201, where 37 of the 158 now are, and later they were limited to the bottom 4 channels. However, because of interference to channel 6 television reception, mentioned below, they have spread onto all 20 educational channels. Comments are invited on whether—at least in areas where channel 6 does not present problems—existing 10-w operations should all be shifted to a small number of the educational channels, such as 201 through 204, and, if so, what cochannel and adjacent-channel mileage separations should be adopted for such operations.

7. *Interference to TV Channel 6.*—There is one final problem on which comments and relevant data are sought and which would be particularly helpful in designing a Table of Assignments. This is the matter of adjacent channel interference to reception of television channel 6 stations in the area in which educational stations are assigned, especially on the lower channels of the educational FM band. This has been a problem in the past in those areas where the signal from the channel 6 TV station was weak and the signal from the educational FM station was relatively strong. While most of this type of interference has come from stations on the lower channels, it has also

³ With an antenna height of 100 ft. above average terrain, and 10 w effective radiated power, a 10-w station provides a 1-mv/m signal out to about 2 miles.

⁴ This may not be possible in those cases where the actual spacings of existing 10-w stations are well below the proposed minimums. In such cases the 10-w operation will, of course, be permitted to continue.

involved stations on channels as high as 209 (89.7 Mc/s). In the past where such situations developed, the educational station usually sought a channel farther up in the spectrum to solve the problem. In isolated cases the change was made into the commercial band in the event there were no educational channels left in the area. A Table of Assignments may make such changes more difficult and, therefore, it is important that such situations be avoided if possible. Comments and data on this subject are therefore invited from any parties having expert knowledge or measurements to offer. TV assignments on channel 6 are listed in the appendix hereto, for the convenience of commenting parties.

8. Channel 6 is, of course, also used by television translators, about 100 operating thereon. As to interference to translator reception, as we have repeatedly stated, translators are a secondary service as far as regular television reception is concerned. We think the same principle should apply to educational FM. While comments are invited on this point, our present view is that FM educational assignments should be made irrespective of interference to translators, with the translator operators having the burden of making whatever adjustments are necessary if problems arise, such as picking another channel.

9. *Preparation of the Table.*—Since in educational FM, there is a separate band of frequencies available, the need for a saturated assignment plan is not imperative. We plan to draft one which is not saturated except in those areas where it is necessary for reasons of border agreements, etc. As stated above, we shall emphasize provision for statewide coverage by one signal first and additional assignments in the larger cities and educational centers. After further negotiations with Canada, receipt of the additional information requested herein, and after consideration of all the comments submitted in this proceeding, we will prepare a proposed Educational FM Table of Assignments and other proposed rules for this service.

10. Authority for the adoption of the proposed rules is contained in sections 4 (i) and (j), 303 and 307(b) of the Communications Act of 1934, as amended.

11. Pursuant to applicable procedures set out in section 1.415 of the Commission's rules, interested parties may file comments on or before December 30, 1966, and reply comments on or before January 16, 1967. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

12. In accordance with the provisions of section 1.419 of the rules, an original and 14 copies of all comments, replies, pleadings, briefs, and other documents shall be furnished the Commission.

FEDERAL COMMUNICATIONS COMMISSION,
BEN F. WAPLE, *Secretary.*

APPENDIX

TV CHANNEL NO. 6 (82-88 MC/S)

Birmingham, Ala.	*Miles City, Mont.
Kingman, Ariz.	Hayes Center, Nebr.
*Tucson, Ariz.	Omaha, Nebr.
Eureka, Calif.	Ely, Nev.
*Sacramento, Calif.	Carlsbad, N. Mex.
San Luis Obispo, Calif.	Silver City, N. Mex.
*Denver, Colo.	Albany-Schenectady-Troy, N.Y.
Durango, Colo.	Wilmington, N.C.
Miami, Fla.	Fargo, N. Dak.
Orlando, Fla.	*Minot, N. Dak.
Augusta, Ga.	Columbus, Ohio
Thomasville, Ga.	Tulsa, Okla.
Nampa, Idaho	Portland, Oreg.
Pocatello, Idaho	Johnstown, Pa.
Indianapolis, Ind.	Philadelphia, Pa.
Davenport-Rock Island-Moline (Ill.), Iowa	Reliance, S. Dak.
Dodge City, Kans.	Knoxville, Tenn.
Paducah, Ky.	Beaumont-Port Arthur, Tex.
New Orleans, La.	Corpus Christi, Tex.
Portland, Maine	San Angelo, Tex.
New Bedford, Mass.	Temple, Tex.
*Alpena, Mich.	Texarkana, Tex.
Lausing, Mich.	Wichita Falls, Tex.
Marquette, Mich.	Price, Utah
Austin, Minn.	Richmond, Va.
Duluth-Superior (Wis.), Minn.	Spokane, Wash.
Greenwood, Miss.	Bluefield, W. Va.
Sedalia, Mo.	Milwaukee, Wis.
Butte, Mont.	Casper, Wyo.
	*San Juan, Puerto Rico

Asterisk (*) indicates channel reserved for noncommercial educational use.