

# Client Memo

By Gary Cavell - October 2015

#### Generalized Summary of the FCC's October 2015 AM Revitalization R&O

The document the FCC just released really is three distinct baskets of actions (or proposed actions) for the AM Broadcasting service in MB Docket No. 13-249. They are:

- the "First Report and Order",
- the "Further Notice of Proposed Rule Making", and
- a "Notice of Inquiry".

Let's deal with them one at a time.

#### First Report and Order

The FCC's "First Report and Order" addresses two sets of actions – it opens the door for potentially more FM translator use by AM stations – and it acts on proposals for certain AM rule changes. All of these actions should become effective within a matter of weeks, following the turning of a few regulatory gears.

#### **FM Translators for AM Stations**

The FCC will allow AM stations to acquire an FM translator (licensed or CP) located within 250 miles of the AM site, relocate it, and use it to rebroadcast the AM station's programming, even if the station is a daytime only station. The limitation is one translator per AM station.

The translator's frequency may be changed to any usable frequency in the commercial portion of the FM band (92.1 to 107.9 MHz) as long as the FCC's FM translator interference rules are satisfied. This is an important factor and in some markets, may be difficult to achieve. Remember – translators are "secondary" services, meaning that they can be "bumped" at any time by interference objections or changes by other FM stations.

There will be three filing "windows" or opportunities. The first one goes to daytime-only AM stations (Class D stations) and "local channel" or "Class C" stations. It will be 6 months long. The second window will be open to all stations (that didn't participate in the first window) and will be 3 months long. All window filings will processed be on a first come – first served basis. The third window, thought to be opened in 2017, will be for NEW translator proposals to be used for AM stations. There is a requirement that the parent AM station hold and use the newly acquired translator for 4 years. The FCC also decided to continue to grant "Mattoon Waivers" for certain translator replication proposals.

See our separate Client Memo on AM Translator Considerations and Cautions.





#### Other Commission Actions in the First Report and Order

- The FCC will be relaxing the city of license coverage rules for EXISTING Stations but <u>not</u> for new stations or those proposing a change in city of license. Specifically,
  - The daytime 5 mV/m coverage contour only needs to encompass 50% of the population or area of the station's city of license, and
  - The nighttime city of license coverage requirement is being dropped.
  - The FCC will be eliminating the so called "ratchet rule". This rule was originally intended to help reduce interference by requiring certain reductions in nighttime interference toward other existing stations whenever a change was requested by a station. This requirement often limited what could be practically done, and penalized stations that had been on the air longest. This rule was routinely waived, but it was a point of contention among engineers.
  - The FCC will be making it easier to use electrical power saving techniques (called MDCL) for AM transmitters. Prior approval is no longer necessary, although notification by FCC Form WILL be required.
  - The FCC is relaxing their requirement that AM antenna systems meet the traditional "efficiency" standards by 25%. This should give stations more leeway in antenna system location and design.

(AM antenna efficiency is a function of ground system length and density, and antenna height. In general, shorter antennas and diminished ground systems yield lower antenna efficiencies.)

The dates that all of the above will become effective are dependent on internal regulatory processes, but should happen in the near future.

# Notice of Proposed Rule Making

There are several items up for consideration that weren't acted on in the *First Report and Order*, and are discussed in the *Notice of Proposed Rule Making* (or "NPRM"). These will be ruled upon sometime after the closing of the associated "comment period". They include deciding upon:

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- 1) Changing how much interference protection the "Class A" (high powered wide coverage area) stations should be afforded during "critical hours" and nighttime hours. This would potentially reduce the coverage of the Class A stations while allowing some coverage increases for other stations.
- 2) Reverting how stations calculate nighttime coverage and interference to an older standard and method.
- 3) Changing daytime non-Class A station interference protection requirements and changing the "protected coverage" contour to a stronger signal level.
  - The intent of the above three is to help AM stations overcome the increased noise level in the band.
- 4) Changing where an AM station's FM translator may be located with respect to the parent AM station.
- 5) Relaxing and changing certain antenna "proof-of-performance" practices and requirements, and,
- 6) Whether holders of dual AM "expanded band" and standard band stations should surrender ONE of their companion stations they also operate. (Those stations operating on frequencies of 1610 to 1700 kHz are expanded band stations.)

### Notice of Inquiry

The FCC has kicked down the road other items for later consideration, which include relaxation of AM station main studio location, staffing and other requirements, and allowing applications to be filed for new expanded band stations. This will likely be addressed after the *NPRM*.

## Matters not Specifically Considered

While broadcasters were hoping for more than what they received, this is still a helpful move forward. Nevertheless, many things seem to have fallen on the cutting room floor and were left unmentioned. These include specifically addressing and taking measures to reduce the incredible increase in the noise levels in the AM band, voluntary moves to all digital modulation methods, and addressing many broadcasters' concerns over pre-sunrise and post sunset power levels. We'll have to see where the process takes us as time moves forward.