

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

*Re: Creation of A Low Power Radio Service (MM Docket No. 99-25) and
Amendment of Service and Eligibility rules for FM Broadcast Translator
Stations (MB Docket No. 07-172)*

I am pleased to support today's *Third Further Notice of Proposed Rule Making* ("Notice") in which we take the first step to implement the Local Community Radio Act of 2010. Congress has required us to ensure that both LPFM stations and FM translators have ample licensing opportunities. Reconciling the apparent tensions between LPFM and FM translator license applicants has not always been easy or handled with alacrity. With this in mind, we undertake a review of our LPFM and FM translator licensing procedures and seek comment on processes to resolve FM translator applications that have been pending before the Commission since 2003.

I am delighted that we are reconsidering the policy of limiting each applicant to only ten pending FM translator applications. I dissented against this cap in the *Third Report and Order* in 2007 stating that it could increase the risk of harmful interference to services provided by FM translators in many unserved areas. With the benefit of experience and hindsight, we now tentatively conclude that this proposal was also unworkable in other respects. In advancing a replacement licensing methodology, we improve upon our previous ten application restriction by seeking comment on a market-specific approach for processing the approximately 6,500 FM translator applications that remain pending.

Likewise, I am pleased that we seek comment on expanding the use of FM translators to rebroadcast AM station signals. As the Notice recognizes, this expansion would allow AM licensees to better serve their communities by allowing stations to reach consumers at night. Ironically, often AM stations serve similar audiences as LPFM stations.

I look forward to reviewing the record that develops in this proceeding and engaging with interested parties and my colleagues to implement Congress's directive. I thank the Chairman for his willingness incorporate many edits and the hard working professionals of the Media Bureau for their thoughtful work on a matter with a long, complicated history.