

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
AM All-Digital Broadcasting) MB Docket No. 19-311
)
Revitalization of the AM Radio Service) MB Docket No. 13-249
)
)
)
)

To: Office of the Secretary
Attn: The Commission

JOINT COMMENTS OF AM BROADCAST STATION LICENSEES

The undersigned radio broadcasters, each a licensee of one or more AM radio stations, in these Joint Comments highly encourage the FCC to adopt the rule changes proposed in this proceeding¹ to allow AM broadcasters to broadcast an all-digital signal using the HD Radio in-band on-channel mode known as MA3. These Joint Comments support the rule changes from their perspective as AM broadcasters. The following is submitted:

INTRODUCTION - AM BROADCASTING NEEDS TECHNICAL ENHANCEMENTS, NOT REGULATORY RESTRAINTS

1. These Joint Comments support the following:
 - That any AM station that desires can broadcast without further FCC authorization in an all-digital mode using an HD Radio MA3 mode as set out in the NRSC-5-D standard (as opposed to the current hybrid AM analog-digital mode);

¹ *All-Digital AM Broadcasting*, Notice of Proposed Rulemaking, 34 FCC Rcd 11560 (2019) (“*All-Digital AM NPRM*”).

- That AM all-digital operations be allowed both day and night at current power levels. (There are some advocating for a *lowering* of AM all-digital power because the all-digital signal will cover more area – it is ridiculous to cripple technology just because it is more efficient);
- That the regulatory procedure for transitioning to AM all-digital be as simple and efficient as the current notification procedure for hybrid AM digital operations; and
- That any decision by an AM station to operate in an all-digital mode is discretionary and reversible, so that no station is required to operate in an all-digital mode, nor is any station who chooses to do so locked-in to that mode of operation.

ANY AM STATION THAT DESIRES SHOULD BE ABLE TO BROADCAST WITHOUT FURTHER FCC AUTHORIZATION IN AN HD RADIO MA3 MODE

2. The FCC proposes, and these Joint Comments support, that any AM station that desires should be able to broadcast without further FCC authorization in an all-digital mode using an HD Radio MA3 mode as set out in the NRSC-5-D standard. Which mode an AM station broadcasts in, whether it is analog-only, hybrid analog-digital, or all-digital, should be left to the business judgement of the AM broadcaster.

3. An FCC concern that analog radio listeners may be harmed if a particular AM station chooses to go all-digital is misplaced. Unless a radio station licensee is independently wealthy and is running a radio station as a lark (which is rare), both commercial and non-commercial radio stations have listeners which are essential to the station's survival. It is the broadcast licensee itself, not the FCC, that best can discern what mode of broadcasting is most likely to attract audiences now and in the future.

4. The FCC has already assessed that AM broadcasters have suffered a steady decline in listenership caused by interference and reception issues, and the availability of

higher fidelity alternatives.² The undersigned AM broadcasters believe that allowing for all-digital AM operations is one means by which this listener erosion may be stemmed in the future. The undersigned AM broadcasters ask the FCC to make the all-digital AM mode of broadcasting available to them to use at their option.

AM ALL-DIGITAL OPERATIONS SHOULD BE ALLOWED BOTH DAY AND NIGHT AT CURRENT POWER LEVELS

5. The undersigned AM broadcasters note a disturbing undercurrent in the All-Digital AM NPRM that suggests all-digital operations should either be restricted to daytime-only, or AM power levels should be reduced with all-digital operations. Either restraint would insure that all-digital AM would not survive.

6. Many AM stations already are highly restricted in reaching their listeners by different patterns and power levels for daytime and nighttime broadcasting, with many AM broadcasters having no substantial coverage at night whatsoever. The surest way to exacerbate those issues is to further highlight those day/night differences by allowing an AM station to broadcast in high fidelity during the day, but forcing a diminishment of that fidelity at night by requiring analog-only broadcasting. Likewise, for a forced reduction in power, if all-digital AM broadcasting comes with the bargain of less power, it is unlikely to be attractive to many AM broadcasters.

7. The undersigned AM broadcasters note that WWFD(AM), Frederick, Maryland, has now been on the air both daytime and nighttime since summer 2018 without any listener complaints. The benefits of the WWFD(AM) all-digital broadcasts are well-reported in the All-Digital AM NPRM.

² All-Digital AM NPRM at page 1.

8. If there was interference created by all-digital WWFD(AM) operations, and if there were harmful technical anomalies affecting other AM station listeners, the FCC would immediately know, given the proximity of WWFD(AM) to the Washington, DC area.³ The FCC now has a real-life example of all-digital AM broadcasting with WWFD(AM), and should use that example as instructive countering the claims made by some that allowing full-time all-digital AM broadcasting at current power levels would be harmful. The FCC should not countenance adverse speculations by those opposed to all-digital AM broadcasting, in lieu of the positive real-time experiences with WWFD(AM).

THE REGULATORY PROCEDURE FOR TRANSITIONING TO AM ALL-DIGITAL SHOULD BE AS SIMPLE AND EFFICIENT AS THE CURRENT NOTIFICATION PROCEDURE FOR HYBRID AM DIGITAL OPERATIONS

9. The FCC now has a set procedure using the FCC Form 335-AM for notifying the FCC of hybrid digital AM operations. The FCC should likewise use this notification procedure for notification of all-digital AM operations, as well as for notifications for any AM stations that transition back to analog operations from all-digital. It is in the public interest for the FCC, broadcasters and the public to have an accurate listing of the transmission modes of AM radio stations.

ANY DECISION BY AN AM STATION TO OPERATE IN AN ALL-DIGITAL MODE SHOULD BE DISCRETIONARY AND REVERSIBLE

10. Although not suggested by the All-Digital AM NPRM, the FCC in any resulting order should make it clear that no AM station is required to operate in an all-digital mode, nor is any station who so chooses to do so be locked-in to that mode of

³ WWFD(AM) in all-digital AM can be heard in many parts of the Washington, DC area.

operation going forward. The undersigned AM broadcasters would not wish to engage in the cost of moving an AM facility to all-digital if that decision could not be reversed if the mode does not prove to be beneficial.

AM HD RADIO SHOULD ONLY BE CONSIDERED IN THIS PROCEEDING

11. Finally, the undersigned AM broadcasters support the FCC's decision to only consider the HD Radio mode of digital broadcasting for AM radio stations as proposed in the All-Digital AM NPRM.⁴ While these Joint Comments do not take a specific position on other modes by which a broadcaster might broadcast in all-digital on the AM band, the undersigned AM broadcasters do note that only HD Radio digital radio AM receivers have achieved any proliferation whatsoever within U.S. radio listening audiences. There are virtually no other AM digital receivers in general use.

12. The undersigned well-remember the listener and broadcaster confusion that surrounded the failure to adopt a specific AM stereo standard some decades ago, and have no wish to foist that uncertainty once again on the public and broadcasters. Therefore, the undersigned AM broadcasters fully support the FCC's decision to reject in this proceeding any comments advocating for a different AM digital mode of broadcasting.

CONCLUSION

13. There is a myriad of reasons stated in the FCC's All-Digital AM NPRM to quickly move forward with allowing AM broadcasters to broadcast an all-digital signal using HD Radio in the MA3 mode. Once such an all-digital mode is authorized, the

⁴ See All-Digital AM NPRM at Footnote 141.

decision by most individual broadcasters to convert to all-digital will be a difficult one enveloping many business considerations. For some AM stations, all-digital broadcasting may never be an attractive business proposition.

14. For others, however, particularly those AM stations with robust and consistent day and night signals that cover their market area and that have complementary FM translators for the analog audience, AM all-digital operations may accomplish bringing back radio listeners to AM, a feat not accomplished for decades. The FCC should not stand in the way of all-digital AM but should enable as quickly as possible those broadcasters who wish to lead, aiming for an affirmative decision adopting the rules as proposed in the All-Digital AM NPRM no later than the end of 2020.

Respectfully submitted,

WOMBLE BOND DICKINSON (US) LLP

By: /s/ John F. Garziglia
John F. Garziglia
Gregg P. Skall
Their Attorneys

Womble Bond Dickinson (US) LLP
1200 19th Street, N.W. Suite 500
Washington, DC 20036
(202) 857-4455

**THE CROMWELL GROUP, INC. OF ILLINOIS
HANCOCK COMMUNICATIONS, INC.
WYCQ, INC.**

By: /s/ Bayard H Walters
Bayard H Walters
President

The Cromwell Group, Inc. of Illinois: WCRA(AM), Effingham, WMCI(FM), Mattoon, WHQQ(FM), Neoga, WZNX(FM), Sullivan, WYDS(AM), Decatur, WCRC(FM), Effingham, WCBH(FM), Casey, WPMB(AM) & WKRV(FM), Vandalia, WEJT(FM), Shelbyville, WZUS(FM), Macon and WWGO(FM), Charleston, IL
Hancock Communications, Inc.: WKCM(AM), Hawesville, WLME(FM), Lewisport, WXCM(FM), Whitesville, WVJS(AM), Owensboro and WBIO(FM), Philpot, KY, and WTCJ(AM), Tell City and WCJZ(FM), Cannelton, IN
WYCQ, Inc.: WBUZ(FM), La Vergne, WQZQ(AM), Goodlettsville and WPRT-FM, Pegram, TN
PO Box 150846
Nashville, TN 37215
(615) 361-7560

**GARK, LLC
ACKLEY CARIBBEAN ENTERPRISES, INC.**

By: /s/ Gordon P. Ackley
Gordon P. Ackley
President

GARK, LLC: WWKS(FM) & WVJZ(FM), Charlotte Amalie, VI
Ackley Caribbean Enterprises, Inc.: WIVI(AM) Charlotte Amalie & WIVI(FM), Cruz Bay, VI
PO Box 302179
St. Thomas, VI 00803
(340) 776-7760

CENTENNIAL LICENSING II, LLC

By: /s/ Steven H. Watts
Steven H. Watts
Executive Vice-President & CFO

WINC(AM) & WINC-FM, Winchester, WZFC(FM), Strasburg, WXBN(FM),
Berryville, and WBQB(FM) & WFVA(FM), Fredericksburg, VA
6201 TownCenter Drive, Suite 210
Clemmons, NC 27012
(336) 766-2890

NEVADA COUNTY BROADCASTERS, INC.

By: /s/ Scott Robertson
Scott Robertson
President

KNCO(AM) & KNCO-FM, Grass Valley, CA
1255 East Main Street, Suite A
Grass Valley, CA 95945
(530) 477-5626

UNIVERSITY OF MASSACHUSETTS

By: /s/ Patty Domeniconi
Patty Domeniconi
General Manager

WUMB-FM, Boston, WFPB(AM), Orleans, WPBR(FM), Worcester,
WUMT(FM), Marshfield, WUMG(FM), Stow, WUMV(FM), Stow, WNEF(FM),
Newburyport, WFPB-FM, Falmouth & WMUZ(FM), Gloucester, MA
100 Morrissey Boulevard
Boston, MA 02125
(612) 287-6905

METROPLEX COMMUNICATIONS, INC.

By: /s/ Samuel M. Stemm
Samuel M. Stemm
President

Metroplex Communications, Inc.
WBGZ/W232CR/The Big Z
227 Market Street
P.O. Box 615
Alton, IL 602
(618) 465-3535

**GEORGIA-CAROLINA RADIOCASTING
COMPANY, LLC
SUTTON RADIOCASTING CORPORATION
TUGART PROPERTIES, LLC
LAKE HARTWELL RADIO, INC.
APPALACHIAN BROADCASTING COMPANY,
INC.**

By: /s/ Douglas M. "Art" Sutton, Jr.
Douglas M. "Art" Sutton, Jr.
President/CEO

Georgia-Carolina Radiocasting Company, LLC: WNEG(AM)/W226BY/
WHTD(AM)/W259DH/WSGC-FM/ WVGC(FM)
Sutton Radiocasting Corporation: WFSC(AM)/WNCC(FM)/W267AD/W285FD/
WRBN(FM)/W262CE
Tugart Properties, LLC: WSNW(AM)/W231BX/W278CG
Lake Hartwell Radio, Inc.: WLHR-FM
Appalachian Broadcasting Company, Inc.: WGOG(FM)
P O Drawer E
233 Big A Road
Toccoa, GA 30577
(706) 297-7264

GEOS COMMUNICATIONS

By: /s/ Benjamin P. Smith
Benjamin P. Smith
General Manager

GEOS Communications
WGMF-AM/WGMF-FM/WZMF-AM
PO Box 701
Tunkhannock, PA 18657
(570) 750-1460

STONE CANYON OF FLAGSTAFF, LLC

By: /s/ John R. Beck, Jr.
John R. Beck, Jr.
President

Stone Canyon of Flagstaff, LLC
KBTK/KWMX/KSED/KFLX
801 Craig Forest Lane
St. Louis, MO 63122
(314) 376-6120

**CENTRAL BAPTIST THEOLOGICAL
SEMINARY OF MINNEAPOLIS**

By: /s/ Stephen W Davis
Stephen W Davis
General Manager

Central Baptist Theological Seminary of Minneapolis
WCTS
900 Forest Lane, North
Plymouth, MN 55441
(763) 417-8279

MORGAN COUNTY BROADCASTING CO INC.

By: /s/ Ed Knight
Ed Knight
President

Morgan County Broadcasting Co Inc.
WECO, WECO-FM
305 North Church St.
Wartburg, TN 37887
(423) 346-3900

**SOUTH SOUND BROADCASTING, LLC
SUNNYLANDS BROADCASTING, LLC**

By: /s/ Gregory J. Smith
Gregory J. Smith
Member/Manager

South Sound Broadcasting, LLC
KOMO-FM
121 Powder Cap Ct.
Cle Elum, WA 98922
(206) 709-5405

Sunnylands Broadcasting, LLC
KGAY, KHCV
PO Box 2308
Rancho Mirage, CA 92270
(206) 709-5405

SPOTTSWOOD PARTNERS II, LTD.

By: /s/ John M. Spottswood
John M. Spottswood
President of General Partner

Spottswood Partners II, Ltd.
WKWF
506 Fleming Street
Key West, FL 33040
(305) 294-6100

EAST TEXAS BROADCASTING, INC.

By: /s/ James R. Kitchens
James R. Kitchens
President

East Texas Broadcasting, Inc.
KOYN, KSCH, KIMP, KPLT, KPLT-FM, KALK, KBUS, KSCN
PO Box 990
Mount Pleasant, TX 75456
(903) 572-8726

AZTEC CAPITAL PARTNERS, INC.

By: /s/ Kenneth I. Trujillo
Kenneth I. Trujillo
President

El Zol Media
WHAT(AM) & WNWR(AM), Philadelphia
4322 N. 5th Street
Philadelphia, PA 19140
(484) 562-0510

KENTUCKY MOUNTAIN BIBLE COLLEGE

By: /s/ Daniel Lorimer
Daniel Lorimer
General Manager

Kentucky Mountain Bible College
WBFC(AM), Stanton & WMTC-FM, Vancleve, KY
1036 Highway 541
Jackson, KY 41339
(606) 666-5006

PHOENIX MEDIA GROUP, LLC

By: /s/ Steve Moravec
Steve Moravec
President

Phoenix Media Group, LLC
1181 Edgcumbe Road
Suite 1006
Saint Paul, MN 55105
(651) 699-1776

March 9, 2020