

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

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)*

“Low Power to the People.” That’s been the dream of a lot of us for a long, long time. Today the dream moves an important step closer to reality. A year ago the chances of this happening looked rather bleak, but thanks to the incredible efforts of Representatives Mike Doyle and Lee Terry and Senators Maria Cantwell and John McCain, the committee leadership of the House and Senate, and many others, Congress passed and the President signed into law the Local Community Radio Act. Behind all their effort was the great and even heroic work of Prometheus, the Future of Music Coalition and many other public interest groups whose inspiration and energy overcame numerous obstacles along the way. Theirs was a lesson in what vision and perseverance combined can achieve. Thanks to the Local Community Radio Act, more than 160 million people unserved and underserved by local Low-Power FM radio will be able to reap its benefits—truly local broadcasting operated by truly diverse station operators. Now the duty falls on us to ensure this wonderful new opportunity for people’s radio on the people’s airwaves.

Digressing but a few seconds, I think the Third Circuit Court’s decision last week on media ownership rules underscored that it’s not just everyday citizens and public interest advocates who expect real diversity in their media outlets—the statute and the courts expect it, too. Its decision addressed head-on the limited attention and lackluster action previous FCCs demonstrated in confronting the dearth of minority-owned and female-owned broadcast stations in this country. In this day of so much media consolidation, of mind-numbing program homogenization and dumbing-us-down news, new voices are critically important if we are really serious about sustaining America’s civic dialogue and citizen engagement. Consider the stats: Between 1996 and 2007 the number of commercial radio station owners in our country declined by almost 40%, and the largest two commercial companies in our markets currently have, on average, 74% of the total radio advertising revenue. So much for localism, diversity and competition. Quite a few full-power broadcasters have struggled to resist the trend, but it’s tougher every day for them to sustain their values in markets—a media market and a financial market—where the bottom line so often trumps the common good. Something more is needed, and a significant part of that “something else” could just be Low Power FM radio.

I am pleased the item before us handles the implementation of the Local Community Radio Act in a measured and generally balanced manner. It gives long-delayed life to Low Power while recognizing the importance of translators. Translators serve an important function in reaching underserved communities and in providing greater reach to valuable programming—I think we would all agree on that. Currently in the top 50 markets there are 607 licensed FM translators fulfilling this function. In those

same markets there are just 86 licensed LPFMs. I believe—and this item proposes—that the time is now to add more independent Low Power voices to the airwaves. And LPFMs should not be relegated to low-density markets where radio spectrum is in lower demand—they should serve their listeners wherever we can find room. The opportunity we have before us now for new stations to reach deep into their diverse communities of service with targeted news, information, music and other cultural offerings is precious and we need to seize the day.

I am supportive of the market-by-market approach put forward in the Further Notice. This approach is crafted on the proposition that Low Power should be available in every possible market—specifically including spectrum-limited markets—while permitting translator applicants to pursue more licenses once Low Power FM has a shot at gaining a toe-hold. There is nothing in today’s action that precludes translator applicants from pursuing licenses in the future even in those markets where pending applications may be dismissed. Today’s action simply clears the path forward to a new LPFM window, a window that may be the last substantive opportunity for LPFMs to obtain licenses. I would also note that the less stringent licensing standards applicable to translators will allow for pending applicants to have many licensing opportunities in the future.

This tiered approach takes a realistic and I believe acceptable view of spectrum availability and community needs. While reaching the numerical channel floors proposed in this item may not be totally attainable in all major metropolitan areas, today’s action is a crucial step towards creating at least some LPFM opportunities in large, diverse and spectrum-crowded communities.

But make no mistake: a lot of hard work remains to be done to create a vibrant LPFM marketplace. There are a number of accompanying steps the Commission must take to breathe real life into LPFM. The most pressing is promptly to open a new LPFM window so potential licensees can get about the job of putting together plans and financing. In this regard, I hope that when the auction window opens, we will have put in place some effective incentives so that women- and minority-owned businesses can take shape in the Low Power world. Additionally, the Commission will need to address the issues of second-adjacent waivers and of permitting LPFM stations to use a more flexible contour-based approach for locating available channels.

Put in a larger context, the benefits of Low Power FMs—local coverage, viewpoint diversity, minority- and female-ownership, and strengthened civic engagement—are also the qualities we want to have across the entire broadcast landscape. We license the public airways in the public interest and, as the licensor of America’s limited spectrum, the FCC must remain constantly vigilant to ensure all broadcasters are serving the core public interest goals of localism, competition and diversity.

I want to thank the Chairman for bringing this item to us and I hope we will continue to push full-steam ahead with a fulsome record gathered by a wide diversity of

stakeholders. Special thanks are due to Peter Doyle and Jim Bradshaw, and others in the Media Bureau, who have spent an inordinate amount of time poring over the data and identifying the best path forward. I also want to thank my Media Advisor Josh Cinelli for really wading into this issue and working for its enhancement every step of the way.

Low power radio is truly radio of the people, by the people, and for the people. And given the dedication of the grassroots effort for the last ten years I have, as the majority of my Low Power friends have, the hula-hoop to prove it. So I end where I began—"Low Power to the People." Please note, however, that I remain an ardent enthusiast for "Full Power to the People," too.

Thank you.