

## August 29 Deadline for Comments on LPFM and FM Translator Processing - Looking to Unfreeze 2003 FM Translator Applications and to Open a New LPFM Window

By [David Oxenford](#)

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**August 29** will be the deadline for initial comments on the FCC's proceeding to set the relationship between applications for new LPFM stations and those for FM translators, a date set forth in a [Federal Register publication](#) of the FCC's Notice of Proposed Rulemaking on this topic. We wrote about the FCC's NPRM [here](#). But it bears emphasizing that the decisions made in this proceeding will impact the processing of the thousands of **FM translator applications still pending from the window opened for these applications back in 2003**, and the potential for a **new filing window for LPFM applications** in the near future. The NPRM also will decide whether **FM translators can be used for the rebroadcast of an AM station** if that translator was granted after the [FCC first authorized the rebroadcast of AM stations by FM translators](#). Up to this point, AM stations can only use translators granted before May 1, 2009 to rebroadcast their signals.

Issues to be addressed in this proceeding include:

- Whether the FCC's proposal to use a market based analysis to determine which 2003 translators can continue to be processed (dismissing all translators when there were few opportunities for new LPFM stations) is justified?
- Whether the technical basis of that analysis is accurate (as the FCC used the same model to assess the availability of channels in a market - overlaying a grid onto each market, and determining if LPFM opportunities existed at set points on that grid - the grid size was uniform in all markets, even though markets obviously are not uniform in size and shape)
- Whether the assumptions about the number of LPFMs that are needed in each market were justified (the FCC concluding that there should be opportunities for at least 8 LPFMs in the Top 20 markets, 7 in Markets 21-50, 6 in Markets 51-100, and 5 in Markets between 101 and 150 and in smaller markets where at least 4 translator applications are pending - if there were not that many opportunities available, then all the FM translators pending in that market were proposed to be dismissed).
- How should future opportunities for filing new LPFM and FM translator applications be handled? What would be the priorities between such applications?

In addition, while this proceeding is pending, all "move-ins" of FM translators into rated markets, where they have become much in demand to rebroadcast AM signals or signals from HD-2 stations, are frozen. So, many are anxious for the resolution of this proceeding - not only those with 2003 FM translator window applications still pending and those who are anxious to file for new LPFM stations, but also those looking to move a translator into a larger market (and we're sure that the FCC is anxious to resolve this matter too). So file your comments by the **August 29** deadline, and your replies by **September 12**.

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