

FCC Prepares to Resolve the Conflicts Between LPFM and FM Translators - Could 10,000 Low Power FM Applications Be On the Way to the FM Band?

March 1, 2012 by [David Oxenford](#)

The long-brewing debate between **Low Power FM** advocates and **FM translator applicants** is on the [FCC's tentative agenda for its March open meeting](#), to be held on March 21. The FCC's agenda includes two items. The first deals with the priorities between the potential spectrum available for LPFM stations and the pending applications for FM translators left to be processed from the 2003 FM translator window. This follows up on the [FCC's Notice of Proposed Rulemaking](#) issued in July, proposing to process all of the translator applications pending in certain markets, while dismissing all of the applications remaining in other markets where it appears that spectrum available for LPFM is very limited, and where the grant of translator applications would block LPFM opportunities.

The second item deals with the future processing of LPFM applications in light of the passage of the **Local Community Radio Act** (summarized [here](#)). The LCRA, among other things, lifted the prohibition against predicted **third-adjacent channel interference** from LPFM stations to full-power FM stations, and also provided for waivers of second adjacent channel interference in instances where the new LPFM would not create any actual interference to other FM users. Where interference would be created, there would be a strict policy, like that which applies to translators, that the LPFM would have to cease operations if there were any interference to a regular user of an FM station - even outside of the station's protected contour. The second item to be addressed by the Commission will give details on how they plan to implement the requirements of the LCRA.

The adoption of these two items will clear the way for a **new window for LPFM applications** - perhaps later this year. In anticipation of that window, an LPFM advocacy group recently [issued a press release indicating that they expected 10,000 new LPFM applications](#) to be filed in an upcoming FM window. Is that number realistic? Who knows, though we'd be surprised if there was really that much pent up demand, especially given the ownership limits on LPFM applications, essentially limiting

most parties to one application. But if anything even approaching that number of applications is filed, look for potential problems in the FM band.

FM translator applications, for the most part, are filed by broadcasters (commercial or noncommercial), experienced in the business, who look for channels that are most likely to really "work" once they are put into operation. Experienced translator applicants don't usually set up operations on channels that are closely spaced to popular local FM stations, even if the translator would meet the interference protections, as the applicants know that they stand a good chance of being forced to cease operations because of complaints from listeners to that local station. When such complaints do occur, most translator applicants understand their responsibility to demonstrate either that they are not the cause of the claimed interference, or to remedy that interference or cease operations. And, as the translator is an adjunct to another business, if the translator must be shut down, the operator still has their full-power operations to sustain the company. The loss is essentially a cost of doing business.

LPFM applicants, in contrast, are by definition not affiliated with other broadcast stations. They are non-profit groups seeking to establish their first station to serve a particular small community or neighborhood. In filing applications, they are often relying on online application search tools that purport to demonstrate where a new station could "fit", or through some other simplified method of determining channels where applications can be filed. There may not be the more sophisticated analysis that many broadcasters go through to make sure that, even though there is no overlap of interfering contours, there is little chance for real interference. When they build their station, and their expected listeners can't hear the station, or if they are creating interference to a full-power station, issue arise and can become contentious. As LPFM stations are the only broadcast business of the nonprofit owners who put them on the air, having to cease operations because of interference would be a devastating blow, and in many cases can be one that is hard to comprehend by someone new to the business. While these issues have been limited in number in the past, that is at least partially as there have been relatively few LPFM applications. If there are truly thousands of new LPFM applications, these sorts of problems may well be widespread, which will no doubt cause issues for LPFM operators, the FCC and full-power broadcasters who want to protect their coverage areas.

The decision to come out next month also will resolve many other issues, including the following:

- The markets in which translator applications from the 2003 FM translator window will be processed, and the ones in which they will be dismissed to make room for LPFM applications
- Whether there will be limits on the number of 2003 translator applications that one applicant can continue to process
- Whether translators granted in this window can be used to rebroadcast AM stations.

This decision may mark the end of a very long process though, depending on the decision made, it may also just lead to further appeals and possibly further delays (see our coverage [here](#), [here](#) and [here](#), from 2008, when the FCC last thought that they had resolved the issue of what to do with the 2003 FM translators, and legal appeals followed). Watch for this decision in the coming weeks.

Tags: [2003 FM translator window](#), [FM Translators and LPFM](#), [LPFM third adjacent channel interference](#), [Local Community Radio Act](#)

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