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## ***News from the offices of Munn-Reese February 2018***

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### **CHAIRMAN PAI STATEMENT ON PASSAGE OF KARI'S LAW**

WASHINGTON, February 6, 2018—Federal Communications Commission Chairman Ajit Pai released the following statement regarding the U.S. Senate's passage last night of the Kari's Law Act of 2017 (H.R. 582):

"I wholeheartedly welcome the U.S. Senate's passage of Kari's Law, which at long last is on its way to the President's desk. This legislation will help ensure that every call to 911 directly connects those in need with those who can help.

"Many people now know the tragedy that inspired this legislation. In 2013, Kari Rene Hunt Dunn was attacked and killed by her estranged husband in a Marshall, Texas hotel room. Her then-nine-year old daughter tried to call 911 four times, as she had been taught to do. But her calls for help never went through because the hotel's phone system required guests to dial '9' before calling 911.

"Shortly after this terrible event, Kari's father, Hank Hunt, channeled his grief into a determination to change this system. I've had the privilege of working with him since 2013 to do just that. Thanks to his courage and the tireless support of many others, we are one step closer to ensuring that 911 works every time, without anyone having to dial an access code."

[DOC-349050A1.pdf](#)

## **FINAL FM TRANSLATOR WINDOW FOR AM STATIONS CLOSES**

WASHINGTON, February 02, 2018 —The Federal Communication Commission’s Media Bureau took another significant step forward in the effort to revitalize AM radio, with broadcasters across the United States filing more than 850 applications in a filing window for new “cross-service” FM translators as part of Auction 100. These applications are in addition to the more than 1,000 applications from AM broadcasters for FM translator licenses in a previous 2017 filing window. The Commission has swiftly granted most of the applications from the prior window with additional grants expected soon.

“The incredible interest in new cross-service translator stations demonstrates the commitment of AM broadcasters to enhancing their ability to provide quality service to their communities” said FCC Chairman Pai. “The Commission will continue to work with AM broadcasters to address their technical challenges and ensure the viability of AM radio.” Read more at [DOC-349008A1.pdf](#)

### **The Enforcement Bureau’s Office of the Field Director**

To streamline the operation of the Enforcement Bureau’s Field Offices, effective immediately, the Bureau’s Office of the Field Director has established a new email address, “[field@fcc.gov](mailto:field@fcc.gov)”, for the public to use when responding to an enforcement action originating from one of the Bureau’s Field Offices. [DA-18-23A1.pdf](#)

### The Munn-Reese Coverage Map

**RFR Studies**  
**AM Array Design**  
**AM Array Tune up**  
**AM Frequency Searches**  
**AM Method of Moments**  
**Coverage Maps**  
**Duopoly Studies**  
**FAA 7460 No Hazard**  
**FM Allocations Studies**  
**FM Frequency Searches**  
**Population Counts**  
**Tower Registrations**  
**Translator Studies**  
**Contact Bruce Bellamy [Bruce@Munn-Reese.com](mailto:Bruce@Munn-Reese.com) 517-278-7339 Ext. 101**

**WSMR-AP**  
Sarasota, FL  
Proposed  
Latitude: 27-09-03 N  
Longitude: 82-27-51 W  
ERP: 50.00 kW  
HAA1: 130.0 m  
Channel: 295  
Frequency: 89.1 MHz  
ANSL Height: 133.0 m  
Elevation: 3.0 m  
Horiz. Pattern: Omni  
Vert. Pattern: No  
Prop Model: Longley/Rice  
Climate: Cool temperature  
Conductivity: 0.0040  
Dk/wk Const: 15.0  
Refractivity: 333.0  
Receiver Ht AG: 1.5 m  
Receiver Gain: 0 dB  
Time Variability: 50.0%  
St. Variability: 50.0%  
ITM Mode: Broadcast

**Legend**  
■ ~ 70.0 dBu  
■ 60.0 - 70.0  
■ 50.0 - 60.0  
■ 40.0 - 50.0  
■ 30.0 - 40.0

**Predicted Longley-Rice Coverage**  
WSMR (Appl) - Sarasota, FL

**Note:**  
Signal Strengths less than 60 dBu are considered secondary and may be subject to interference.  
Predicted signal strengths are based on the use of a vertical receiving antenna 1.5 meters above ground level. This is believed to represent the real world parameters used by many listeners.

**Munn-Reese, Inc.**  
Scale 1:1,000,000  
0 20 40 60 km

2

**Well there is something NEW about that OLD Main Studio Rule**

Have you placed a for sale sign on that old forgotten studio building? The building the station no longer needs because the main studio rule has recently changed? Someone locked the door years ago and forgot to return. After the first year, the building filled up with cob webs and dead house flies. Soon after the Mackie mixer that made up the skimpy, but legal, Main Studio was lost to the dust.

It used to read: §73.1125 Main Studio Location.

Now it reads: §73.1125 Station Telephone Number.

But WAIT! Just when you thought it was getting simple, the Commission comes out with some suggestions that will become policy, if they so choose. Welcome the “Small Entity Compliance Guide”!

I’m not sure who the Commission is referring to as a “small entity”, in this document. Who, then, would be a Big Entity? The first page of this document is written in generic form like a wanted ad in the local paper. It strangely does not directly address a radio station owner. It was written by a person with a good command of the written word. The writer appears to tippy toe then zig zag walk around important topics never addressing the now gone main studio. Page two is an index. Then the last two pages sent Thumbs to his anxiety closet! This section of the document was obviously written by a Millennial on his I-phone! Since when is it appropriate to place only one space after a period! Thumbs does not correct errors in text created by the Federal Government.

## **Microwave Frequency Coordination**



**Munn-Reese can help you with all your Part 74 Frequency Coordination and Licensing needs. For straight answers about STL or RPU systems and licensing requirements contact Rick Grzebik via email at [Rick@Munn-Reese.com](mailto:Rick@Munn-Reese.com) or via land line at 517-278-7339 ext 108**

Thumbs has not had a chance to open all the referenced rules to see what is hidden.

## **“Small Entity Compliance Guide”**

**[DA-18-64A1.pdf](#)**

### **Elimination of Main Studio Rule**

**DA 18-64**

**FCC 17-137**

**MB Docket No. 17-106**

**This Guide is prepared in accordance with the requirements of Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996. It is intended to help small entities—small businesses, small organizations (non-profits), and small governmental jurisdictions—comply with the revised rules adopted in the above-referenced Federal Communications Commission (FCC or Commission) rulemaking docket. This Guide is not intended to replace or supersede these rules, but to facilitate compliance with the rules. Although we have attempted to cover all parts of the rules that might be especially important to small entities, the coverage may not be exhaustive. **This Guide cannot anticipate all situations in which the rules apply. Furthermore, the Commission retains the discretion to adopt case-by-case approaches, where appropriate, that may differ from this Guide. Any decision regarding a particular small entity will be based on the statute and any relevant rules.****

**In any civil or administrative action against a small entity for a violation of rules, the content of the Small Entity Compliance Guide may be considered as evidence of the reasonableness or appropriateness of proposed fines, penalties or damages. Interested parties are free to file comments regarding this Guide and the appropriateness of its application to a particular situation. The FCC will then consider whether the recommendations or interpretations in the Guide are appropriate in that situation. The FCC may decide to revise this Guide without public notice to reflect changes in the FCC’s approach to implementing a rule, or it may clarify or update the text of the Guide. Direct your comments and recommendations, or calls for further assistance, to the FCC’s Consumer Center:**

**1-888-CALL-FCC (1-888-225-5322)**

**TTY: 1-888-TELL-FCC (1-888-835-5322)**

**Videophone: 1-844-4-FCC-ASL (1-844-432-2275)**

**Fax: 1-866-418-0232**

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### I. OBJECTIVES OF THE PROCEEDING

In the Report and Order (Order) in MB Docket No. 17-106, the Commission eliminated its main studio rule, which previously required each AM, FM, and television broadcast station to maintain a main studio located in or near its community of license. The Commission also adopted its proposal to eliminate existing requirements associated with its main studio rule, including the requirement that the main studio have full-time management and staff present during normal business hours, and that it have program origination capability. The Commission concluded that the main studio rule and its associated requirements are now outdated and unnecessarily burdensome for broadcast stations, and should therefore be eliminated.

### II. COMPLIANCE REQUIREMENTS

**In general.** Elimination of the main studio rule (47 CFR §§ 73.1125(a)-(d)) and the associated staffing and program origination capability requirements will ease burdens on broadcast stations. Broadcasters will have discretion regarding where to locate their studios and how to staff them.

**Local or toll-free telephone number.** The Commission retained the requirement that each AM, FM, TV, and Class A TV broadcast station maintain a local or toll-free telephone number. This requirement previously was found in 47 CFR § 73.1125(e), but with the deletion of paragraphs (a) through (d), now it is the only remaining provision in that section. Retaining the telephone number rule will help promote continued access to local broadcast stations by community members upon elimination of the main studio rule.

**Access to the local public inspection file.** The Commission required each station applicant, permittee, or licensee to maintain any portion of its public file that is not part of the online public file at an accessible place within its community of license. This requirement is found in 47 CFR §§ 73.3526(b) and (c), 73.3527(b) and (c). The requirement is intended to ensure that community members have local access to a station's public file for any timeframe during which all or a portion of that file is not available via the online public file. If as of January 8, 2018 a broadcast station maintains a hard copy of all or a portion of its public inspection file at a main

studio that either complied with the Commission's previous main studio rule but is not within the station's community of license, or was deemed a permissible location for the station's public inspection file pursuant to a waiver of the previous main studio rule, and if the station retains that studio, then that studio is grandfathered as a permissible location for the station's hard copy public inspection file. This approach will ensure that stations do not face increased burdens as a result of the elimination of the main studio rule.

**Related Commission rules.** The Commission made conforming revisions to the following rules to reflect the repeal of the main studio rule: 47 CFR §§ 1.80, 1.1104, 73.14, 73.761(d), 73.1400(a)(1)(ii), 73.1690(c)(8)(ii), 73.1690(d)(1), 73.3526(b)(2)(ii) and (e)(4), 73.3527(b)(2)(iii) and (e)(3), 73.3538(b)(2), 73.3544(b)(3), and the Alphabetical Index to Part 73. The Commission also deleted section 73.6000(3) of its rules, which addressed programming produced at the station's main studio, and will now require Class A stations to meet the required quantity of "locally produced programming" through programming that complies with section 73.6000(1) or (2). For those Class A stations currently operating at grandfathered main studios that are outside the locations described in section 73.6000(1) or (2) of the Commission's rules, the Commission will continue to consider programming produced at that previously grandfathered main studio to be locally produced.

### **III. RECORDKEEPING AND REPORTING REQUIREMENTS**

A community member seeking access to a station's public inspection file in the community of license may inquire with the station as to the location of the file, for example via its required telephone number or email. Stations must promptly provide information regarding the location of the file within one business day of a request, as is now stated explicitly in 47 CFR §§ 73.3526(c)(1) and 73.3527(c)(1), which is a new information collection requirement.

### **IV. IMPLEMENTATION DATES**

The rule amendments are effective thirty (30) days after the date of publication in the Federal Register, which is January 8, 2018, except for the portions of sections 73.3526(c)(1) and 73.3527(c)(1) that contain new information collection requirements, which shall become effective after the Commission publishes a notice in the Federal Register announcing OMB approval and the relevant effective date.

### **V. INTERNET LINKS**

[DA-18-64A1.pdf](#)

A copy of the Order, FCC 17-137, MB Docket No. 17-106, is available at: [FCC-17-137A1.pdf](#).

A copy of the Federal Register Summary of the Order is available at: [2017-24982.pdf](#).

## **The FCC Adds Blue Alerts to the EAS system**

**Reminder!** Blue Alerts have an implementation deadline and its waiting for your action making the new codes work. Blue Alerts warn the public when there is actionable information related to a law enforcement officer who is missing, seriously injured or killed in the line of duty, or when there is an imminent credible threat to an officer. A Blue Alert could quickly warn you if a violent suspect may be in your community, along with providing instructions on what to do if you spot the suspect and how to stay safe.

[EAS Blue](#)

Thank You to the Thumbs Feebleman Fan Club! The feedback offered and your memory of the February 20<sup>th</sup> 1971 NORAD EBS mistake. Many of you remembered!

### **Are You Getting the Munn-Reese News Letter Second Hand?**

Sign up is easy, just click on Thumb's address below and type subscribe in the subject line. Thumbs will put you on the list. It's that easy. Not one of our clients? we would like to change that, but, we'll still be glad to send you the Newsletter. An informed broadcaster is important for the entire broadcast industry.

Feed Back to: [Thumbs@Munn-Reese.com](mailto:Thumbs@Munn-Reese.com)

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517 - 278 - 7339

## *Will the Ford Pinto live down its legacy???*

Thumbs stumbled upon some criticism about a memo floating around the white House. The memo proposed that the federal government should fund its own 5G network. This would place the federal government in direct competition with the current crop of internet providers. If the government owned it, they should be able to police it. Well... Commissioner O’Rielly comments.



### **STATEMENT OF COMMISSIONER MICHAEL O’RIELLY ON ANY PLAN TO “NATIONALIZE” 5G**

WASHINGTON, January 29, 2018. -- “I’ve seen lead balloons tried in D.C. before but this is like a balloon made out of a Ford Pinto. If accurate, the Axios story suggests options that may be under consideration by the Administration that are nonsensical and do not recognize the current marketplace. Instead, U.S. commercial wireless companies are the envy of the world and are already rushing ahead to lead in 5G. I plan to do everything in my power to provide the necessary resources, including allocating additional spectrum and preempting barriers to deployment, to allow this private sector success to continue.”

**Office of Commissioner Mike O’Rielly: (202) 418-2300**

**Twitter: @mikeofcc**

**[www.fcc.gov/leadership/michael-orielly](http://www.fcc.gov/leadership/michael-orielly)**

**[DOC-348905A1.pdf](#)**

**The Best of FCC Enforcement Actions - Not all... just the Best!**

**Note from Thumbs!** If your station is a Non-Commercial broadcast station. You should read this FCC Action. It will be a good study into what can and can't pass the FCC's eagle eye as an underwriting statement. In case you don't already know. A consent decree is a voluntary contribution to the U.S. Treasury to stop an FCC enforcement action. The word "voluntary" is loosely employed. A judge sets the dollar value of the contribution. A consent decree leaves the station owner with an empty check book and in the same proceeding it will squelch the un-fit to be a broadcaster hearing.

**FCC Settles Investigation into Violations of Underwriting Rules with a \$115,000 Consent Decree.**

Two radio stations, KNAI-FM in Phoenix, Arizona, and KUFW-FM in Woodlake, California, both owned by the Cesar Chavez Foundation, have aired promotional announcements in violation of the Non-commercial underwriting rules.

WASHINGTON, February 1, 2018—The Federal Communications Commission today announced a settlement with the Cesar Chavez Foundation for violations of the Commission's underwriting rules for noncommercial educational broadcasters. Although such stations are not permitted to broadcast advertisements in exchange for consideration from for-profit entities, the underwriting rules allow these broadcasters to air acknowledgements of for-profit donors in specific,

limited ways. The underwriting rules thus permit noncommercial educational stations to obtain financial support while also protecting the public's use and enjoyment of commercial-free broadcasts. Read More at [DOC-348921A1.pdf](#) And [DA-18-74A1.pdf](#)

**In this NOTICE OF VIOLATION** the Broadcaster apparently forgot log everything except the EAS log. The EAS log is not mentioned, so it must have been ok.

On June 26, 2017, agents of the Enforcement Bureau's Region One inspected WGBN station facilities in Lincoln Borough, Pennsylvania and observed the following violations:

47 CFR § 73.1350(c)(1): "Monitoring procedures and schedules must enable the licensee to determine compliance with § 73.1560 regarding operating power and AM station mode of operation, § 73.1570 regarding modulation levels, and, where applicable, §73.1213 regarding antenna tower lighting, and §73.69 regarding the parameters of an AM directional antenna system" At the time of inspection there were no procedures and schedules in place for monitoring the transmitter's operating power, modulation levels, obstruction lighting, and parameters of the AM directional antenna system including monitoring points, antenna currents, and antenna phases. Read more at [DOC-349002A1.pdf](#)

Feed Back to: [Thumbs@Munn-Reese.com](mailto:Thumbs@Munn-Reese.com)

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