



PUBLIC NOTICE

Federal Communications Commission
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DA 03-2277
July 11, 2003

MM DOCKET NO. 99-25

COMMENT SOUGHT ON THE MITRE CORPORATION'S TECHNICAL REPORT, "EXPERIMENTAL MEASUREMENTS OF THE THIRD-ADJACENT-CHANNEL IMPACTS OF LOW-POWER FM STATIONS"

Comment Date: September 12, 2003

In December 2000, Congress passed the Government of the District of Columbia Appropriations Act, FY 2001 (the "Act").¹ That legislation required that the Commission prescribe third-adjacent channel spacing requirements for low power FM ("LPFM") stations, and invalidate any existing licenses that did not comply with the new separation criteria.² Congress instructed the Commission to conduct an experimental program to test whether LPFM stations would interfere with existing FM stations if LPFM stations were not subject to third-adjacent channel spacing requirements. The Act also directed the Commission to select an independent entity to conduct field tests. Finally, the Commission was instructed to "publish the results of the experimental program and field tests and afford an opportunity for the public to comment on such results."³

The Commission selected the MITRE Corporation as the independent entity that would conduct the testing. MITRE hired Comsearch, a subcontractor, to assist with the field testing. On June 30, 2003, MITRE submitted its Final Report ("Report") to the Commission. The Report describes the field measurement data collected by Comsearch and analyzes it with regard to the levels of harmful interference experienced. The Report also contains theoretical analysis, conclusions, and recommendations to the Commission. Annexes to the Report detail Comsearch's Field Test Plan, Test Procedures Plan, and Field Measurement Data. The Report is available online at <http://www.fcc.gov/cgb/ecfs> under MM Docket No. 99-25, or from the Commission's duplicating contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, DC 20554, (202) 863-2893.

Pursuant to the Congressional mandate, by this Public Notice the Commission seeks comment on the MITRE Corporation Report. Interested parties may submit comments on or before September 12, 2003.

¹ *D.C. Appropriations – FY 2001*, Pub. L. No. 106-553, § 632, 114 Stat. 2762, 2762A-111 (2000).

² *Id.*

³ *Id.*

Comments should specifically reference this Public Notice and MM Docket No. 99-25. Comments may be filed online at <http://www.fcc.gov/cgb/ecfs> or in hard copy (one original and four copies) with the Commission's Secretary, Marlene H. Dortch, 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002.

Ex parte status: This is a "permit-but-disclose" proceeding.⁴ A party making a written presentation must file two copies of the presentation with the Commission's Secretary no later than the next business day after the *ex parte* presentation was made.⁵ A party making an oral presentation must submit an original and one copy of a summary of such presentation to the Commission's Secretary, and deliver copies to the Commission personnel involved with the presentation, no later than the next business day after the presentation.⁶ All *ex parte* filings must be clearly labeled as such and should reference this Public Notice and MM Docket No. 99-25.

Ex parte filings should be submitted to Marlene H. Dortch, Secretary, Federal Communications Commission, 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002. Additionally, one copy of each *ex parte* memorandum should be delivered to each of the following parties: (1) the Commission's duplicating contractor, Qualex International, 445 12th Street, S.W., Room CY-B402, Washington, DC 20554, (202) 863-2893; and (2) Peter H. Doyle, Media Bureau, 445 12th Street, S.W., Room 2-B450, Washington, DC 20554. Copies of the reports and any subsequently filed documents in this matter may be obtained electronically at <http://www.fcc.gov/cgb/ecfs>, and on paper from Qualex International. The reports and all subsequently filed documents will also be available for public inspection and copying during normal business hours in the Commission's Reference Information Center located at 445 12th Street, S.W., Room CY-A257, Washington, DC 20554.

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⁴ 47 C.F.R. § 1.1200(a).

⁵ *Id.* § 1.1206(b)(1).

⁶ *Id.* § 1.1206(b)(2).