

MEMORANDUM

To: Board of Regents

From: Board Office

Subject: Approval to File Applications with the Federal Communications Commission (FCC) for Commercial Translator Frequencies by Iowa State University and the University of Northern Iowa

Date: September 8, 2003

Recommended Action:

1. Approve Iowa State University's request to file an application for a construction permit with the Federal Communications Commission (FCC) to construct a 250-watt FM translator station in the Osceola area on a commercial frequency to be used by radio station WOI.
2. Approve the University of Northern Iowa's request to file applications for commercial translators in Iowa City and West Des Moines to be used by radio station KUNI.

Executive Summary:

Under new application procedures implemented by the FCC within the past year, a commercial translator frequency filing window was unexpectedly opened in February 2003.

Definition of Translator Frequency

A translator frequency is an FM broadcast frequency that is chosen to provide limited service to a geographic area from a full service station whose signal is too distant for good reception or diminished because of terrain features. The signal from the originating station is received by the translator device and converted to the new frequency for broadcast in the target area. FCC regulations classify a translator as a secondary service that is subject to interference rules (may not cause harmful interference to full broadcast signals) and limited in power and height (which limits its range).

FCC Application Process

The FCC has a complicated two-stage process for commercial applications.

1. An applicant completes a preliminary "short form" filing for a desired frequency in a specific community. If that frequency is requested by other applicants, the FCC conducts an auction to determine which applicant will be awarded the permit. A non-commercial entity is prohibited from participating in the auction; therefore its application is summarily dismissed. If only

non-commercial applicants are competing for the frequency, the newly proposed, but not yet implemented, FCC point-count system rules determine which application is approved¹.

2. If there is only one applicant for the desired frequency, the FCC requests a full application with complete engineering data from that applicant.

ISU Applications In March 2003, ISU submitted a "short form" application requesting four frequencies in the Chariton, Iowa area with the expectation that one would be approved. ISU was responding to Chariton residents' request for improved reception in their area and a local foundation's expressed interest in providing funding assistance.

News from FCC On July 7, 2003, ISU was notified that there were no other applicants in the Chariton area and that a full application was required by August 29, 2003.

Engineering Error While preparing the full application, ISU discovered an engineering error. Instead of choosing an existent tower site in the Chariton area for the "short form" application, the consulting engineers picked a tower near Osceola (at considerable distance from Chariton).

Decision to Proceed ISU was not able to correct the error because FCC rules prohibit a change of this magnitude (from Osceola to Chariton) after the "short form" application is approved. However, an internal station review of the advisability of completing the application for Osceola and an assessment of the value of a translator facility in that community resulted in a recommendation to proceed.

UNI Applications In March 2003, the University of Northern Iowa submitted a "short form" application for commercial translator frequencies in Iowa City and West Des Moines to be used by radio station KUNI.

¹ The point count rules are currently being contested in a federal court case.

Link to Strategic Plan:

This effort is part of the institutional activities which help the Board of Regents achieve its objective to provide service opportunities at the Regent institutions as stated in its current Strategic Plan:

KRA 2.0.0.0 Provide access to educational, research, and service opportunities within the missions of the Regent institutions.

Objective 2.2.0.0 Evaluate annually and, where appropriate, make recommendations to meet relevant educational and service needs of the state.

Background:

Iowa State University and the University of Northern Iowa took advantage of the commercial translator filing window unexpectedly opened by the FCC in February 2003 and filed "short form" applications for commercial translator frequencies in several communities in March 2003.

Analysis:

Requires Board Approval

Board of Regents' policy requires Board approval prior to submitting an application for expansion to the FCC.

Iowa State University

ISU continues to have an interest in Chariton and will likely pursue a non-commercial frequency when the next filing window is opened by the FCC. In the meantime, by submitting a full application for the Osceola translator, ISU will likely have a four-year window to construct the translator station in Osceola – one year for FCC approval and three years before the construction permit expires. A number of related service questions may be resolved during that time, including receiving a construction permit for the proposed Perry station which the Board of Regents approved in 1996.

Advantages Provided by the Osceola Station

The Osceola translator would offer excellent service from the Perry station along the southern stretch of I-35. The southern tier of Iowa counties and communities is considered unserved in the public radio community and could benefit from improved reception. On the other hand, should ISU decide not to construct the facility, they would forfeit the permit with no adverse consequences.

**University of
Northern Iowa**

In March 2003, the University of Northern Iowa submitted "short form" applications for commercial translator frequencies in Iowa City and West Des Moines to be used by radio station KUNI. Both applications were submitted in cities where KUNI currently broadcasts and were intended to enhance the quality of KUNI's signal in those cities. According to the University, these frequencies do not expand KUNI's broadcast reach.

**"Short Form"
Application
Status**

The FCC received several "short form" applications for the commercial translator frequencies in Iowa City and West Des Moines. UNI has not been notified by the FCC about an opportunity to submit a full application for either of the translators. If there were commercial applicants for the frequencies, KUNI will not be eligible to submit a full application for the frequencies. If there were other non-commercial applicants, the FCC will use the "localism" point system to determine who is invited to submit a full application. If UNI is chosen, they will submit a full application for the licenses, given Board of Regents approval.

**Advantages
Provided by the
Frequencies**

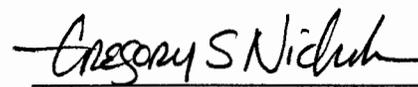
Listeners in the Iowa City and West Des Moines areas have complained of pockets of poor reception caused by changes in terrain. The commercial translator frequencies will use KUNI's existing systems to provide clearer reception in the two areas.

**Service Area
Maps**

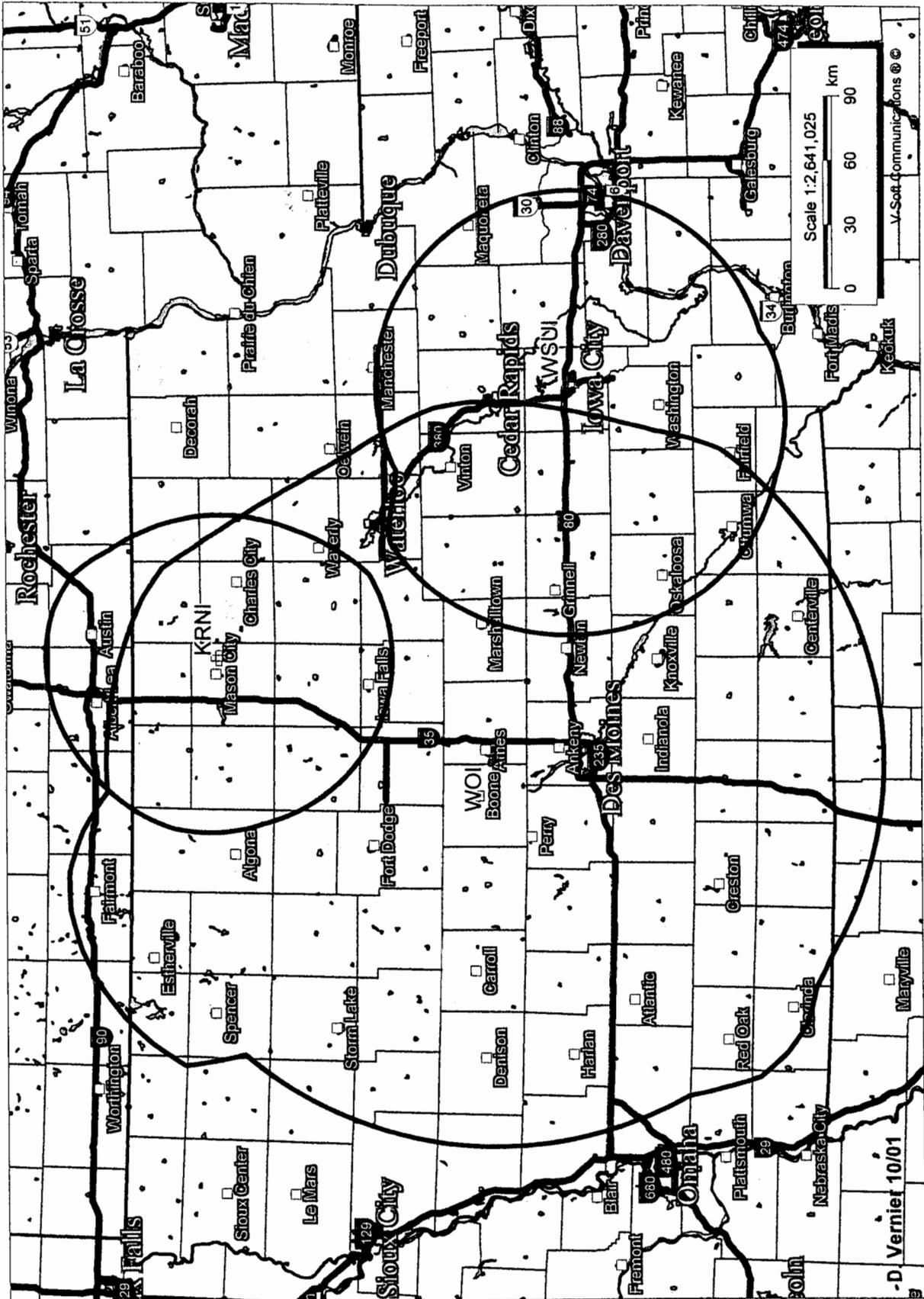
Service area maps for WOI (Attachment A) and KUNI (Attachment B) are provided on pages 5-6.


Diana Gonzalez

Approved:


Gregory S. Nichols

AM Daytime Public Radio 1 mV/m Coverage



UNIVERSITY OF NORTHERN IOWA (KUNI) SERVICE MAP

