

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Amendment of the Commission's Rules and) Docket No. _____
Policies to Improve the Translator Interference) RM- _____
Complaint Process)

PETITION FOR RULEMAKING

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EXECUTIVE SUMMARY

FM translators are an increasingly important part of radio broadcasters' service to the public, as their use has expanded beyond the traditional role of providing supplemental service in areas where direct reception of a radio station's primary signal is insufficient. For example, in 2009, the Commission authorized AM radio broadcasters to use existing FM translators to rebroadcast their service. More recently, the Commission allowed AM stations to obtain and relocate translators up to 250 miles to serve their communities, and going forward, will open new translator auction windows for AM broadcasters not participating in the translator relocation windows. Broadcasters are also using translators to rebroadcast HD Radio multicast services, such as foreign language, weather and other niche formats.

While beneficial for both broadcasters and the listening public, these developments have increased the risk of translators causing interference to full-power FM stations. As a secondary service, it is the responsibility of translator licensees to cure any such interference. Under the Commission's rules, a new translator will not be authorized if it is likely to interfere with an authorized broadcast service, nor will an existing translator be allowed to continue to operate if it causes actual interference. However, despite these directives, the process for resolving interference conflicts can be time-consuming and expensive, as well as a strain on the Commission's resources.

To help improve this process, NAB proposes certain rule and policy changes designed to provide translator licensees more flexibility to resolve interference, and facilitate the efficient disposition of interference complaints against translators. NAB submits that the proposals described below will benefit consumers by increasing the certainty of translator service while protecting the existing service of FM stations.

We propose that Section 74.1233 of the rules be amended to allow translators to move anywhere on the FM dial (instead of only to an adjacent or IF-related channel) to resolve interference, as a minor change. This additional flexibility will enable more translator licensees to efficiently cure interference by simply changing channels.

NAB also suggests certain procedural changes to improve the process for resolving interference complaints against translators. First, we propose that an actionable complaint should be supported by interference complaints from at least six different listeners to the desired FM station, or perhaps more or less depending on the specific circumstances, such as whether the relevant service area is rural or urban. Second, such complaints must be verifiable statements that include clear evidence that the complainant is a regular listener to the FM station and is unaffiliated with the station. Third, actual interference must be shown from a sufficient number of locations to indicate a consistent problem, and be confirmed by an “on/off” test, where practical. Finally, an actionable complaint must document that the full-power station has used commercially reasonable practices to inform the relevant translator licensee of the claimed interference, to ensure an opportunity for the parties to cooperate on resolving the alleged interference without Commission involvement, and if an interference complaint is subsequently filed, resolution should be governed by a specific time limit (e.g., 90 days), with additional deadlines for the various interim steps in the process.

NAB also will initiate an effort to mitigate translator interference issues that requires no Commission action. Together with industry, we will publish a series of best practices designed to help avoid and manage translator interference. Relevant topics include how to properly engineer a translator to minimize the risk of interference to full-power stations, and ways to privately manage interference conflicts.

NAB submits that these steps will facilitate a more efficient process that helps to conserve the Commission's resources, while providing more certainty for both translators and FM stations.

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PETITION FOR RULEMAKING

Pursuant to 47 C.F.R. § 1.401, the National Association of Broadcasters (NAB)¹ hereby petitions the Commission to initiate a proceeding to amend Section 74.1233 of its rules,² and other policies as needed, to improve the process for resolving interference conflicts between full-power FM radio stations and FM translator stations. NAB submits that the procedural changes proposed below will benefit consumers by increasing the certainty of translator service while protecting the existing service of FM stations.

I. Introduction

FM translators are an increasingly important part of radio broadcasters’ to the public, as their use has expanded beyond the traditional purpose of providing supplemental service to areas and populations in which direct reception of FM radio signals is unsatisfactory due to distance or intervening terrain obstructions.³ In 2009, the Commission approved a petition by NAB to allow AM radio broadcasters to use authorized FM translators to

¹ NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and broadcast networks before Congress, the Federal Communications Commission and other federal agencies, and the courts.

² 47 C.F.R. § 74.1233 - Processing FM translator and booster station applications.

³ *Amendment of Part 74 of the Commission’s Rules Concerning FM Translator Stations*, Report and Order, 5 FCC Rcd 7212, 7213 (1990) (1990 Translator Order).

retransmit their AM service within their existing coverage areas.⁴ This policy change has enabled over 900 AM radio stations to launch new nighttime service and programming content, improve signal quality during daytime hours, and better compete in the increasingly competitive audio services marketplace.⁵ In addition, radio broadcasters are using FM translators to offer more content by rebroadcasting HD Radio multicast program services, including niche formats like weather, foreign language, and religious programming. Radio broadcasters continue to explore ways to make their programming more accessible to listeners, and translators are an effective option.⁶

Recently, the Commission further expanded the opportunities for AM radio broadcasters to leverage the benefits of translators. In 2016, the Commission opened two translator modification filing windows during which AM stations could obtain and relocate an authorized translator station up to 250 miles, to retransmit their AM radio service.⁷ More than one thousand AM stations participated in these windows, with many already on the air with new and improved radio service. Going forward, the Commission is expected to open two new FM translator auction windows later this year for AM stations that did not participate in the 2016 translator modification windows. Under this process, AM broadcasters may apply for an available FM frequency in their home market and construct a new translator for purposes of rebroadcasting their AM service.⁸

⁴ *Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations*, Report and Order, 24 FCC Rcd 9642, 9646 (2009).

⁵ *Revitalization of the AM Radio Service*, First Report and Order, Further Notice of Proposed Rulemaking, and Notice of Inquiry, 30 FCC Rcd 12145, 12149 (2015) (2015 AM/FM Translator Order).

⁶ Ira Wilner, *The HD Studio—Transmitter Link*, Radio World (Aug. 23, 2013), <http://www.radioworld.com/digital-radio/0014/the-hd-studio-transmitter-link/328475>.

⁷ 2015 AM/FM Translator Order, 30 FCC Rcd at 12150-12152.

⁸ *Id.* at 12153-54.

These developments have led to a substantial expansion in the number and use of FM translators, raising the risk of interference conflicts between translators and full-power FM stations. This risk will likely continue to rise with the upcoming translator auction window. Although translator licensees carefully engineer their operations when applying for a new or modified service, and Commission staff diligently review such applications, interference to a full-power FM station is always a possibility once a translator is turned on. Interference can also result when a full-power FM station initiates new or modified service.

As a secondary service, it is incumbent upon a translator licensee to resolve interference caused to any regularly-used full-power FM station. Under the Commission's rules, an application for a new translator application will not be granted if it is likely to interfere with an authorized broadcast service,⁹ nor will an existing translator be allowed to continue to operate if it causes actual interference.¹⁰ However, certain regulatory limits can hinder a translator licensee's ability to remedy interference. Specifically, the Commission's rules permit a translator to change frequency to avoid interference, but allows changes only to a first, second or third adjacent channel, or IF-spaced channels, as a minor change.¹¹ Thus, many translator licenses are compelled to use costlier, less efficient remedies that result in reduced service and listenership.

Also, the process for administering interference complaints against translators can seem *ad hoc* and cumbersome. Disputes about the validity of claimed interference and the legitimacy of listener complaints can delay resolution, as well as a failure to promptly answer Commission inquiries. NAB submits that a more clearly documented process would improve

⁹ 47 C.F.R. § 74.1204.

¹⁰ *Id.* at § 74.1203(a).

¹¹ *Id.* § 74.1233(a)(1).

the efficient disposition of interference complaints against FM translators, and provide more certainty for broadcasters, the Commission, and consumers.

II. The Commission Should Allow FM Translators to Move to Any Available Channel to Resolve Interference

The Commission first authorized FM translators in 1970 as a means of providing FM service to areas and populations that were unable to receive satisfactory FM signals due to distance or intervening terrain obstructions.¹² A translator receives the signal of a full-power station and simultaneously retransmits the signal on another frequency. The Commission appreciated the benefits of authorizing FM translator service, but also expressed concern about the potential competitive effect of translators on FM radio stations.¹³ Therefore, the Commission authorized FM translators on a secondary basis only.¹⁴

As a secondary service, it is the responsibility of a translator licensee to avoid or cure any interference caused to a full-power FM station, regardless of the circumstances.¹⁵ An authorized FM translator must discontinue operations if it causes interference to the transmission of any authorized full-power broadcast station or “reception by the public of the off-the-air signal of any authorized broadcast station.”¹⁶ Such interference is considered to occur whenever a translator’s signal impairs reception of a regularly-used full power FM signal, regardless of the quality, strength or channel of the protected full-power signal.¹⁷ If a

¹² *Matter of Amendment of Part 74 of the Commission’s Rules Concerning FM Translator Stations*, Notice of Proposed Rulemaking, 5 FCC Rcd 2106 (1990 Translator Notice) *citing* Report and Order in Docket No. 17159, 20 Rad. Reg. 2d (P&F) 1538 (1970).

¹³ 20 Rad. Reg. 2d at 1541.

¹⁴ 47 C.F.R. § 74.1203. To further distinguish translators as a secondary service, the Commission also limited translators in terms of service, ownership, financial support and program origination. *Id.* at §§ 74.1201-1284.

¹⁵ See *supra* notes 9-10.

¹⁶ 47 C.F.R. § 74.1203(a).

¹⁷ *Id.* at § 74.1203(a)(3).

translator licensee cannot eliminate the interference through suitable techniques, it must suspend operation until the interference is eliminated.¹⁸ Translator licensees use a variety of techniques to address interference without going off the air, including reducing power, modifying the antenna's height or orientation, physically relocating the antenna, or using a more directional antenna.

If such techniques are unsuccessful in resolving interference, then the most efficient remedy is changing the frequency of the translator, which often allows a broadcaster to resolve interference for minimal cost and with little if any service reduction. However, changing frequency is often not possible because Section 74.1233 allows translators to change only to a first, second or third adjacent, or IF-related channel, as a minor change.¹⁹ All other frequency changes involve the "major change" process, with its associated uncertainty and delay. And an adjacent or IF-related channel is often unavailable in many markets, or would be ineffective in eliminating the interference, thereby forcing many translators to utilize other remedies that are costlier or result in significantly reduced service.

NAB proposes to amend Section 74.1233 to allow a translator to resolve interference by moving anywhere on the FM dial as a minor change. A licensee requesting such a change would still have to fulfill the obligation to provide service to some portion of its previously authorized service area, and comply with all other existing allocation requirements for a secondary service.²⁰ Such an approach would allow many translator licensees to quickly

¹⁸ *Id.* at § 74.1203(b).

¹⁹ *Id.* at § 74.1233(a)(1).

²⁰ The translator must also continue to provide 1 mV/m service to some portion of its previously authorized 1 mV/m service area. *Id.* The latter portion fulfills the Commission's goal of preventing licensees from increasing their coverage significantly without being subject to competing applications or public comment. *Id.* Until 1999, the rule turned on a

eliminate interference to a full-power station, and provide service to listeners who rely on the translator to receive the primary broadcast. This change would be especially valuable in less populous markets, where the FM band is more likely to have open frequencies, and where translators may be the only local broadcast radio services. Moreover, this additional flexibility would provide translator owners more certainty in their investments, reducing the instances in which a translator might be abandoned due to interference to a full-power station.

NAB's proposal is a logical extension of the current policy for FM translators. The Commission routinely considers requests for waiver of Section 74.1233 when a full-power station commences service with a new or modified facility and interference is predicted from an existing translator.²¹ NAB's proposal would allow a translator licensee to move to any available channel on the FM band to resolve interference as a minor change, after verifying that no adjacent or IF-spaced channels (+/- 3 or 53, 54) are available.

In addition, a translator licensee should be allowed to submit an affidavit and engineering statement to demonstrate the interference. This approach would obviate the need for complaints from listeners of the disrupted full-power station, reducing the burden on FM stations to collect complaints and the Commission to review their validity, especially in cases where the translator concedes the interference. In general, NAB's proposal would

percentage overlap of previously authorized coverage contour, when the Commission modified the rule to conform more closely with the existing treatment of commercial FM stations, allowing translators to change their frequencies to an adjacent channel on a first-come first-served basis as a minor change. See *1998 Biennial Regulatory Review – Streamlining of Radio Technical Rules in Parts 73 and 74 of the Commission's Rules*, First Report and Order, 14 FCC Rcd 5272, 5277 (1999) (1999 Radio Streamlining Order)

²¹ W273AT, Mequon, WI (File No. BPFT-20100628A0J); see also K214CR, Santa Monica, CA, (File No. BPFT-20130709AAF); K212FW, Joplin, Missouri (File No. BPFT- 20090817ACF); W274BG, Montgomery, Alabama (File No. BMPFT-20090519ABU).

streamline the process and improve cooperation among translator and FM station licensees, while conserving Commission resources.²²

Amending Section 74.1233 also would be consistent with the Commission's practice in other areas. For example, pursuant to its recent order relaxing the parameters for siting a translator rebroadcasting an AM station, the Commission allowed applicants who participated in the 2016 translator modification windows to further move their translator to anywhere on the dial, as a minor modification application, to take advantage of the amended rule's standard.²³ In addition, a low power television station or TV translator station predicted to create interference with an authorized broadcast TV station may apply for a channel change as a minor change.²⁴ Under this rule, which has been frozen for the duration of the spectrum incentive auction, a TV translator or low power TV station may file a "displacement relief application" at any time to avoid interference with an authorized TV station, and not be subject to competing applications for the requested channel. Such applications are afforded priority over mutually exclusive applications for new low power or TV translator stations, or non-displacement applications by existing low power TV stations or translators.²⁵ Similarly, Class D noncommercial educational FM stations are allowed to file applications to change to any channel when displaced due to interference by a full-service FM or TV station, without invoking the Commission's major change process.²⁶ Finally, the

²² For FM translators that are displaced, it is important that the Commission allow the displaced translator to obtain a construction permit upon learning of the impending displacement, which would become effective when the full-power station actually implements its change.

²³ *Revitalization of the AM Radio Service*, Second Report and Order, MB Docket No. 13-249 (rel. Feb. 24, 2017), at 4 n. 22.

²⁴ 47 C.F.R. § 74.787(a)(4).

²⁵ *Id.*

²⁶ *Id.* at § 73.512(d).

Commission routinely grants applications by low power FM stations to change frequencies as a minor change, often with minimal documented technical support.²⁷

Translators allow broadcasters to maintain financial viability. They are particularly important for AM radio broadcasters, enabling new nighttime service and improved daytime reception. Granting NAB's petition will provide more certainty to translator licensees, and increase the reliability of radio service via translators for listeners. NAB's proposal will remove the significant uncertainty and burdens associated with major change applications, and enable more translators to maintain and improve their service to listeners. NAB's approach also will make the Commission's processes more efficient, without compromising any rule or policy, and we urge the Commission to commence a rulemaking to implement it.²⁸

III. Certain Changes to the Commission's Practices Will Improve the Process for Resolving Interference Complaints Against Translators

Interference complaints against FM translators are often highly fact-specific situations that can require time-consuming communications among the parties and Commission staff. Resolution can be delayed by debates over the validity of the claimed interference, the objectivity of complaining listeners, procrastination by one of the parties, or the constraints of Commission resources. Seemingly similar cases can vary in the time, effort, and expense needed to resolve them, at times leading to a perception of an *ad hoc* process with inconsistent outcomes. NAB respectfully submits that a few minor procedural

²⁷ *Id.* at § 73.870(a)(1) and (e); *Creation of a Low Power Radio Service Amendment of Service and Eligibility Rules for FM Broadcast Translator Stations*, Fifth Order on Reconsideration and Sixth Report and Order, 27 FCC Rcd 15402, 15444 (2012).

²⁸ We recognize that our proposal may slightly reduce the opportunity for mutually exclusive and competing applications to be filed against a translator request to change channels, the public interest weighs in favor of adoption.

changes and a more clearly documented process would facilitate the efficient disposition of interference complaints, and help relieve some of this frustration. These recommendations may also enhance the certainty of broadcasters' investments in translators.

1. Required Number of Listener Complaints

As noted above, an application for a new translator will not be granted if a full-power station provides "convincing evidence" that doing so will cause interference to its reception.²⁹ Further, an authorized translator is not permitted to continue operation if it causes any actual interference to the direct reception "by the public" of the off-the-air signals of any authorized broadcast station.³⁰ Thus, the Commission limits such actionable complaints to those made by *bona fide*, regular listeners of the desired full-power station.³¹ The Commission, however, has never specified a particular number of listener complaints needed to support the existence of interference, sometimes opening the door to disputes over whether a full-power station has adequately demonstrated the claimed interference.

NAB proposes that an actionable filing by a full-power station should be supported by interference complaints from at least six different listeners, or perhaps more or less depending on the specific circumstances of each case, such as whether the station's service area is rural or urban. We have informally surveyed several of our members and communications attorneys with experience in these cases, and based on their feedback, we believe that complaints from six *bona fide* listeners is a reasonable basis for the Commission's consideration of an interference complaint, depending on the specific situation. It is our understanding that any actual interference is often readily apparent when

²⁹ *Association for Community Education, Inc.*, Memorandum Opinion and Order, 19 FCC Rcd 12682, 12687 (2004); 47 C.F.R. § 74.1204(f).

³⁰ 47 C.F.R. § 74.1203(a)(3).

³¹ *Association for Community Education*, 19 FCC Rcd at 12687.

a new or modified FM translator turns on service, causing listeners to promptly notify the desired full-power station. In these cases, a full-power station typically has no problem collecting at least six listener complaints.³² However, the same amount of interference may not generate as many complaints in rural areas or areas somewhat far away from the full-power station's core service area.³³ At the same time, six complaints may be less persuasive in an urban area. The Commission may consider the impact of the characteristics of a service area on the number of required listener complaints needed to justify action, but our consensus view is that complaints from six *bona fide* listeners represents a reasonable starting point.

2. Objectivity of Complainant Listeners

Listener complaints must be verifiable statements accompanied by full documentation of the complainant's name and contact information. Also, complaints should include some clear evidence, such as a signed declaration, that the individual is a regular listener to the desired station, and is unaffiliated with the station, with an address or accurate description of the individual's location where he or she is prevented from listening to the full-power station.³⁴

Complainants must be unaffiliated, objective listeners to the full-power station, which the Commission has characterized as a person or entity without a legal stake in the outcome of the translator station licensing proceeding.³⁵ Thus, it has discredited complaints by principals and employees of full-power FM stations, such as a station's consulting

³² W284BQ, Detroit, MI (File No. BLFT-20101227ABN) (28 listener complaints in large city).

³³ *Valley Broadcasting Inc.*, Omaha, NE (File No. BPFTB-890428TA) (zero complaints in unpopulated area).

³⁴ *Association for Community Education*, 19 FCC Rcd at 12687.

³⁵ *Id.* at 12688 n. 37.

engineer,³⁶ and the mother-in-law of a station's program director.³⁷ However, it would be useful for the Commission to further define what it means for a complainant to be unaffiliated with the desired full-powered station. For example, the Commission should clarify that a listener complaint is valid even if it was received through an online or other solicitation from the desired station, so long as it includes all the required contact information and evidence that the person is a regular, unaffiliated listener to the desired station. NAB also recommends that listener complaints on a form letter or other list be acceptable, again, so long as all the required information is included.

Finally, we recommend that the Commission clarify what it means to be a regular listener qualified to lodge an interference complaint against a translator. For example, the Commission has discredited complaints from listeners who could not be "regular" listeners to a desired station because it was unlikely anyone could listen to the station at the indicated location(s) due to low signal strength.³⁸ If the Commission believes signal strength is a relevant factor, it should clarify how it will be applied. We believe that "regularly used" does not include an occasional trip through an area, so a complainant should be willing to certify that they try to access the desired station on a regular basis, such as at least twice monthly for at least six months.

NAB's overall purpose is to illuminate the objectivity of complainants as a means of focusing the Commission's resources on the substance of valid interference cases, instead of having to investigate the alleged personal relationships that a listener may have with a radio station.

³⁶ Bison Media, Inc., Balch Springs, TX (File No. BESTA-20100506AEV).

³⁷ New (FX), New London, CT (File No. BNPFT-20030827AMA).

³⁸ K287AY, Austin, TX (BPFT-20100510ABW).

3. Evidence of Actual Interference

NAB understands that full-power stations may occasionally “cherry-pick” locations where interference is only intermittent or due to unusual reception issues, such as terrain which results in multipath fading, or the existence of atmospheric “ducting.” Claimed interference must be demonstrated as actual interference from the offending FM translator. NAB recommends that the actual locations of interference must be of a sufficient number to indicate a real and consistent interference problem.

The required number of locations should also depend on the specifics of the situation; for example, twenty complaints from listeners residing in the same apartment building should likely be credited as only one collective complaint. On the other hand, multiple complaints from the same location helps to underscore the value of the disrupted station and justification for Commission consideration. Regardless, it should be required that the FM station demonstrate actual, continual interference at multiple locations for the integrity of the Commission’s process.

To help demonstrate consistent interference at a sufficient number of locations, NAB proposes that claimed interference should be confirmed by conducting an “on/off” test. Such a test involves briefly turning the offending translator off and on to verify that the translator is the actual cause of the claimed interference. An on/off test can also help translator licensees to trouble-shoot isolated interference complaints. Such a test should be based upon mutually agreeable terms of both the translator and the full-power station. For example, having representatives of both parties present for a test is ideal, but if both parties agree to conduct the test remotely, or with only one party present, that would be acceptable. The Commission should clearly document in their procedures that an on/off test is encouraged, if not required, to facilitate the resolution of interference complaints.

4. Complaint Handling Procedures

NAB observes that resolution of interference complaints may also be protracted because a party fails to respond promptly to related inquiries. Sometimes this is unintentional given the demands on the time of broadcasters, but in some cases, a party may have incentives not to fully cooperate. In other cases, the resolution of complaints may be prolonged given the Commission's scarce resources.

Communication and cooperation between full power and translator stations are paramount to the efficient resolution of interference conflicts. NAB proposes that a prerequisite of an actionable interference complaint should be documentation that the full-power FM station has used commercially reasonable efforts to inform the relevant translator licensee of the claimed interference, and if possible, that the translator licensee has acknowledged the claim. This approach will ensure an opportunity for cooperation between the parties to verify (e.g., conduct an on/off test) and resolve the alleged interference before involving the Commission.³⁹ As noted below, NAB intends to develop best practices for the private resolution of interference conflicts.

If the parties are unable to resolve the interference conflict privately, and an interference complaint is filed with the Commission, NAB recommends that a "shot clock" of 90 days would be sufficient in most cases. Moreover, specific deadlines should govern the

³⁹ Several outcomes may result from a full-power station's notification to a translator licensee of alleged interference. First, the parties work together to resolve the problem privately. Second, the translator licensee does not respond to the FM station's notice, or responds but does not cooperate in fixing the issue, leading the FM station to file a complaint with the Commission. Third, the translator licensee responds but considers the FM station's preferred method for resolving the problem unreasonable, also leading to the filing of a complaint with the Commission. Thus, NAB's proposal should be a win-win-win, as it provides the translator and FM station licensees an opportunity to resolve the problem in an efficient, cost-effective manner while preserving Commission resources, without limiting access to Commission resolution when necessary.

various interim steps in the overall complaint process. For example, upon receipt of a complete and qualified interference complaint from a full-power station, the Commission should commit to act within a deadline of 15 days to send a letter of inquiry to the offending translator. Pursuant to this letter, a translator licensee would have 30 days to respond with a plan to resolve the interference or otherwise dispute the interference claim with a supporting technical showing. Failure to respond within 30 days would result in a Commission order to immediately cease operation or immediately eliminate the interference through a suitable technique (e.g., changing the directionality of the antenna, reducing power). NAB proposes that the Commission should commit to acting within a 15-day deadline on a translator licensee's application to change frequency or other requested technique to eliminate the claimed interference, subject to the standing policy that the translator's new frequency must comply with all existing allocation requirements.

We believe that such an approach will make the Commission's process more efficient, particularly in cases where claimed interference appears indisputable. NAB's overall aim is to facilitate the process in a way that not only conserves the Commission's resources, but also provides more certainty and clarity for translator and FM stations alike, for the benefit of radio listeners.

IV. Industry Best Practices

Finally, NAB will undertake an independent effort that requires no Commission action to further mitigate the translator interference problems. Specifically, together with industry participants, NAB intends to develop and publish a series of best practices for purposes of avoiding and managing FM translator interference issues. The best practices will take an even-handed approach to educating both translator and full-power licensees on their rights and responsibilities regarding interference. The best practices will include suggestions on

how to properly engineer FM translators to minimize the risk of causing interference to full-power stations, ways to confirm the validity of alleged interference, and ways to efficiently manage interference conflicts privately, without Commission involvement. NAB also will solicit input from the Commission to ensure the best practices reflect current policy and present the most accurate and useful guidance to industry.

V. Conclusion

For the foregoing reasons, NAB requests that the Commission initiate a rulemaking proceeding to amend Section 74.1233 of the rules and other policies as needed to improve the process for administering and resolving complaints of interference against FM translators.

Respectfully submitted,



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