

MICHAEL H. MICHAUD
2ND DISTRICT, MAINE

WASHINGTON OFFICE
1724 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
PHONE: (202) 225-6306
FAX: (202) 225-2943

www.house.gov/michaud

Congress of the United States
House of Representatives
Washington, DC 20515

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The Honorable Kevin J. Martin, Chairman
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Report on Broadcast Localism and Notice of Proposed Rulemaking, MB Docket No. 04-233

Dear Chairman Martin:

I am writing to express my concern about the Federal Communications Commission's recent proposals in the pending "localism" proceeding. Fostering more and higher quality local programming that is responsive to community concerns is a laudable goal, but several of the proposed actions described in the Report on Broadcast Localism (Report) would in reality negatively impact the ability of locally-owned broadcasters in Maine to serve their communities

Of particular concern is the proposed reinstatement of two abandoned policies – the rule that required broadcasters to maintain their main studio only within the community of license, and rules regarding unattended technical operation of broadcast facilities.

The first rule, also known as the Main Studio Rule, was relaxed in 1987 when the Commission decided that forcing broadcasters to maintain their main transmitting studio within, and only within, the community of license was overly restrictive and unnecessary. The second set of rules would require broadcasters to maintain a physical presence at every broadcasting facility during all hours of operation, a restriction that was determined to be unnecessary given new technologies that allow these facilities to be operated remotely.

The relaxation of these restrictive rules allowed locally-owned broadcasters in Maine that wouldn't otherwise be able to financially support multiple fully-equipped, full-staffed studios and broadcast facilities to centralize administrative and technical functions in a community central to all serviced communities. Without this flexibility, operating in these remote areas would likely prove financially impossible. In places like Maine, reinstatement of the Main Studio and physical presence rules and the costs that would impose would likely remove locally-owned broadcasters from the air rather than encourage more local voices.

I encourage reconsideration of these proposed actions, and exploration of alternative approaches to bolster local programming and emergency response systems.

With warmest regards,

Michael H. Michaud
Member of Congress

BANGOR:
23 WATER STREET
BANGOR, ME 04401
PHONE: (207) 942-6935
FAX: (207) 942-6907

LEWISTON:
179 LISBON STREET, GROUND FLOOR
LEWISTON, ME 04240
PHONE: (207) 782-3704
FAX: (207) 782-5330

PRESQUE ISLE:
445 MAIN STREET
PRESQUE ISLE, ME 04769
PHONE: (207) 764-1036
FAX: (207) 764-1060

WATERVILLE:
16 COMMON STREET
WATERVILLE, ME 04901
PHONE: (207) 873-5713
FAX: (207) 873-5717