



PUBLIC NOTICE

Federal Communications Commission
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DA 24-583

Released: June 20, 2024

MEDIA BUREAU SEEKS COMMENT ON PETITION FOR RULEMAKING TO CREATE A NEW FM BROADCAST STATION CLASS

MB Docket No. 24-183

Comment Date: July 22, 2024

Reply Comment Date: August 21, 2024

By this Public Notice, the Media Bureau (Bureau) seeks comment on the Petition for Rulemaking (Petition) submitted by Commander Communication Corporation (Commander) on June 13, 2024. In the Petition, Commander requests that the Commission create a new FM station class “A10.”¹ Commander proposes specific operating parameters for the new Class A10 stations of a maximum of 10,000 watts effective radiated power (ERP) and 100 meters height above average terrain (HAAT),² as well as amendments to the existing facilities requirements and minimum distance separation requirements to accommodate a new FM station class.³ This proposal is intended to supersede an earlier proposal for a new “Class C4” category of FM station.⁴

The Petition is available electronically through the Commission’s Electronic Comment Filing System (ECFS) at <https://www.fcc.gov/ecfs/search/search-filings> under the above-referenced docket number.

Filing Requirements. Interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the ECFS.⁵

- **Electronic Filers:** Comments may be filed electronically using the Internet by accessing the ECFS: <https://www.fcc.gov/ecfs/filings/standard/>. Parties that choose to file electronically only need to submit one copy of each filing so long as the submission conforms to all procedural and filing requirements. Online filing is optional.
- **Paper Filers:** Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S.

¹ Petition at 1.

² *Id.*

³ *Id.* at 2-4.

⁴ See *Ex Parte Notice* filed on June 5, 2024, by Commander and SSR Communications, Inc. in MB Docket 18-184; see generally, *Proposals for a New FM Radio Broadcast Class C4 and to Modify the Requirements for Designating Short-Spaced Assignments*, Notice of Inquiry, 33 FCC Rcd 5495 (2018).

⁵ *Electronic Filing of Documents in Rulemaking Proceedings*, Report and Order, 13 FCC Rcd 11322, 11324-25, para. 4 (1998).

Postal Service. All filings must be addressed to the Secretary, Federal Communications Commission.

- Hand-delivered or messenger-delivered paper filings for the Commission’s Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC’s mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
 - Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
 - Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street, NE, Washington, DC 20554.
- People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (TTY).

Ex Parte Rules. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.⁶ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation.⁷ If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with section 1.1206(b) of the rules. In proceedings governed by section 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (e.g., .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

For additional information, contact Albert Shuldiner, Albert.Shuldiner@fcc.gov, (202) 418-2721, or James Bradshaw, James.Bradshaw@fcc.gov, (202) 418-2739, of the Media Bureau, Audio Division. Direct press inquiries to Nancy Murphy at (202) 418-1043.

⁶ 47 CFR §§ 1.1200 *et seq.*

⁷ *Id.* § 1.1206(b). Memoranda must contain a summary of the substance of the *ex parte* presentation and not merely a listing of the subjects discussed. More than a one or two sentence description of the views and arguments presented is generally required. *Id.* § 1.1206(b)(1).