
FCC Adopts New Regulations Allowing AM Broadcast Stations to Use FM Translator Stations For “Fill-in” Purposes

by Richard R. Zaragoza and Christine A. Reilly

In respond to the National Association of Broadcasters' July 14, 2006 Petition for Rule Making, and after a Notice of Proposed Rule Making Proceeding released on August 15, 2007, the FCC today released a Report and Order adopting the NAB's proposal that AM stations be allowed to use FM translators to retransmit their AM service within their AM stations' current coverage areas. The action was taken to "permit AM broadcasters to better serve their local communities and thus promote the Commission's bedrock goals of localism, competition and diversity in the broadcast media."

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According to the Report and Order, "AM broadcast stations will be allowed to use currently authorized FM translator stations (i.e., those now licensed or authorized in construction permits that have not expired) to rebroadcast their AM signals, provided that no portion of the 60 dBu contour of any such FM translator signal extends beyond the smaller of: (a) a 25-mile radius from the AM transmitter site; or (b) the 2 mV/m daytime contour of the AM station. In addition, AM broadcast stations with Class D facilities...will be allowed to originate programming on such FM translators during the periods when their AM station is not operating."

The new rules are scheduled to take effect on the later of: (a) thirty (30) days after publication of the text or a summary of the Report and Order in the Federal Register, or (b) announcement in the Federal Register of OMB approval of the new rules and requirements involving Paperwork Reduction Act burdens.

We intend to issue a more detailed Advisory on the Report and Order. You may read the Report and Order using the following link: http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-59A1.pdf.

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