

NCE FM

Your Tool for the New Catholic Evangelization

“For the new evangelization to be effective...knowledge and use of the media...is indispensable.”

(Ecclesia in America, 72)

These words of the Holy Spirit from the Second Vatican Council illustrate the importance of the use of radio to bring the Faith to our entire culture. That, however, necessitates the ownership of radio stations on which to broadcast Catholic programming. This brief primer explains the basics involved in the obtaining a new NCE FM broadcast license.

The only way to bring Catholic radio to most communities is to purchase an already existing radio station. This can truly be a cost-prohibitive endeavor for many. At the present time NCE FM appears to be one of the few remaining opportunities available to bring Catholic Radio to your community.

What is NCE FM? Non-Commercial Educational (NCE) FM is a service that was created by the Federal Communications Commission (FCC) to provide dedicated FM spectrum to noncommercial broadcasters. The NCE band is from 88.1 FM to 91.9 FM and specifically allocated commercial frequencies. Licenses to broadcast on available frequencies are obtainable for free from the Federal Communications Commission (FCC) upon completion of a qualified engineering study, submission of an appropriate application to the FCC during an application window and award of the license over other applicants (see below under Point System).

Notices released by the Federal Communications Commission and its recent activity demonstrate the likelihood of an application window in late Fall 2006. The CRA is committed to assisting the Church in the United States to acquiring as many licenses for broadcast as possible.

There are several benefits to NCE FM over other forms of radio broadcasting. First, it is an FM broadcast which gives it greater fidelity over the AM service. Further as the FM service has more listeners, there is a greater likelihood that someone scanning the dial will happen upon your station. Third, as stated above, construction permits to construct NCE stations are available at no cost from the FCC. Fourth, a nonprofit organization owning a NCE FM does not pay annual filing fees to the FCC. Lastly, NCE FM's offer both a larger broadcast range than Low Power FM (LPFM) and are primary facilities, i.e., they cannot be bumped off the air by another station.

The Catholic Radio Association (CRA) is the trade association for Catholic radio in North America. It is recognized by the IRS as a 501(c)(3) organization and was created to foster Catholic radio in America. The CRA provides technical, programming and managerial expertise to assist in the procurement, development and operation of locally operated Catholic-programmed radio stations and has already assisted numerous dioceses, parishes and lay apostolates acquire and operate radio stations.

The Engineering Study

Submission of an application to the FCC for a free NCE license requires significant technical expertise and understanding of the myriad rules pertaining to NCE interference, TV Channel 6 requirements, propagation, etc. The Catholic Radio Association offers discounted engineering services to its members to evaluate the opportunity for a NCE station in a particular locale and complete the necessary engineering exhibits to demonstrate the availability to the FCC.

The Application

The FCC requires an accurately completed FCC Form 340 to be completed and filed electronically using the Consolidated Database System (CDBS). The application consists of several sections: General Information, Legal and Financial, Point System Factors, Tie Breakers, Engineering and Certifications.

Fair Distribution of Service

An applicant would receive a decisive preference, as a threshold matter, if it would provide a first or second NCE aural service to 10% of the people within the proposed station's 60dBu contour, but to no fewer than 2,000 people. If more than one applicant meets this standard, the FCC will award a preference only if one proposal provides first or second service to 5,000 more people than the other. To maintain the benefits of fair distribution, we stated that applicants selected based on NCE fair distribution standards would not be permitted to downgrade service to the area on which the credit was based. Because applicants chosen through fair distribution would not be subject to a point system, however, they would not be subject to four year holding period provisions, which require applicants to maintain factors for which they received points and limit the terms on which the applicant may transfer the station to another party.

Localism – Established Local Applicant (3 points)

Those physically headquartered, having a campus, or having 75% of board members residing within 25 miles of the reference coordinates of the center of the proposed community of license would be local for purposes of the credit. An applicant must be local for two years prior to application, as the standard for whether an organization qualifies for a local credit. (See Worksheet #4 on Form 340). The organization's own documents, (e.g. by-laws, constitution, or their equivalent) must establish requirements for maintaining the characteristics of the board for which it claims credit.

Diversity of Ownership (2 Points)

If the proposed station's principal community contour (70 dBu) does not overlap such contours of any other station in which the applicant, its parent, subsidiaries, or members of their governing boards, have any attributable interests, the applicant receives 2 points.

Technical Parameters (generally 1 Point)

The FCC will award a one point credit to the applicant that covers the largest area and population, provided that this applicant covers at least 10% greater area and 10% greater population than the next best technical proposal. In rare instances in which the top applicant covers a 25% greater area and population than the next best proposal, the applicant can gain two points.

Tie Breakers

- 1) A permit will be awarded to the applicant who, at the time of filing, had the fewest existing station authorizations (licenses and construction permits) in the same service(i.e. radio or TV whether commercial or noncommercial) nationally
- 2) which applicant has the fewest pending new and major change applications in the same service at the time of filing.
- 3) mandatory time sharing

Common Questions

What is necessary to apply for a NCE FM?

- 1) The desire and belief that Catholic Radio can be a powerful, positive influence in listener's lives and the willingness to act.
- 2) The applicant must be a non-profit, educational entity. This can be as simple as two people being members of an unincorporated association.
- 3) To gain a localism credit $\frac{3}{4}$ of the parties to that entity must reside within 25 miles of the coordinates of the proposed city of license.

Can I apply for more than one station?

Yes. In fact if you are able to acquire both licenses you would be able to offer 24 hour programming in both Spanish and English.

Can NCE FM be used to broadcast Spanish programming?

Absolutely! Spanish broadcasting deserves very strong consideration, primary consideration in many areas of the country. To make it even easier, there is free 24 hour Spanish programming available.

What is the coverage area?

NCE FM's can have coverage areas of 10 miles to 75 miles depending upon terrain, interfering stations, etc.

What is an applicant?

An applicant is an entity that makes application the FCC for the authority to own and operate a broadcast facility.

What is the applicant's responsibility?

If the license is issued, the applicant becomes the licensee. The licensee is a public trustee of the license and is responsible to see that the station is operated in the public interest.

Does this mean I have to run a radio station?

Not necessarily. It means that you have the responsibility to see that the station is run according FCC regulations.

What is the CRA's responsibility?

Initially, the CRA will provide the engineering and application services required to make application to the FCC. If the applicant is successful in securing the license grant, the CRA can assist the applicant in obtaining and installing the necessary equipment to begin broadcasting and help to obtain 24 hours of free daily programming. The CRA can also offer guidance on fundraising, marketing and promotion and operations.

Will anything be placed on my property?

In most cases, the stations are engineered for the antenna to be placed on a tower in or near the community. Depending upon how much local programming you desire to produce, the minimal space needed at the studio site would be for a personal computer.

How much will it cost me as an applicant?

The cost to CRA members to engineer and submit the technical portion of the application is \$495. While some applicants may choose to complete the rest of the application themselves, we encourage the use of legal counsel familiar with FCC application process. The CRA can recommend attorneys who provide very favorable rates to our members. An additional fee may be required for a historical study if a new tower site is stipulated.

What do I do with information received in regard to the application/license?

You may receive information from solicitors looking to sell equipment or consultants looking to charge you a fee to help build your station. You may dispose of these solicitations. You may receive a letter from the FCC. Please make a copy and fax or mail to the CRA.

In what areas will NCE FM be available?

NCE FM licenses will be available in all 50 states and US Territories, though major metropolitan areas will not likely have opportunities for this service.

What if I have an engineering study done now and it shows that I cannot apply for a NCE FM?

The FCC and Congress are currently revising the Low Power FM (LPFM) service. This revision will allow for numerous new LPFM stations in areas unavailable to NCE. We expect an application window for LPFM to be announced in 2007.

What is the sense of urgency in applying for a NCE FM right now?

As with all radio broadcast license applications, there is only a short window in which to apply for the license. This application deadline will likely be in 2006 and it will be several years before another application window opens. In addition, as the frequency spectrum is very limited, the space in the spectrum may be gone in future years that is available right now. If you wish to have a station some time down the road, the time to start is right now.

What information do you need from me?

Organizations seeking to apply for an NCE FM should complete an Engineering Agreement available from the CRA.

Catholic Radio
ASSOCIATION

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