

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Application for Authority to Construct)	IHF-C/P-20200427-00001
an International Broadcast Station)	

INFORMAL OBJECTION

Pursuant to Section §73.3587 of the Commission's Rules,¹ the High-Frequency Parties (“Parties”) submit this Informal Objection to the above-captioned application for construction permit (“Application”), filed by Parable Broadcasting Company, LLC (“Parable” or the “Applicant”), for an International Broadcast Station in Batavia, Illinois.²

Section §2.1 of the Commission’s Rules, *Terms and definitions*, defines Broadcasting Service as “A radiocommunication service in which the transmissions are intended for direct reception by the general public.”

Section §73.701(a) defines an International Broadcast Station as “A broadcasting station employing frequencies allocated to the broadcasting service between 5900 and 26100 kHz, the transmissions of which are intended to be received directly by the general public in foreign countries.”

Application Question II, 6.a. asks, “What is applicant's principal business?” Parable answered, “Broadcasting and Data Services”. Similarly, Exhibit IV-1 states in pertinent part that “The planned broadcast content includes religious and educational programming, as well as data content provided by third parties.”

¹ Section §73.3587 permits any person to file informal objections to the grant of any application for an instrument of authorization.

² See International High Frequency Applications Accepted for Filing, Report No. IHF-00164, May 27, 2020.

It impossible to ascertain from these answers whether all of the “Data Services” and “data provided by third parties” will in fact constitute broadcast content and qualify as broadcasting as defined in the Commission's Rules.

Various elements of the Application and its geographical location, suggest that the station will be engaged in the provision of point-to-point data services for hire, a common carrier or private carrier of messages not “intended for direct reception by the general public” and not “to be received directly by the general public in foreign countries”.

Nothing in Part 73F of the Rules for International Broadcast Stations permits non-broadcast service, including any form of purported “ancillary” or “auxiliary” service. All transmissions of the proposed station must qualify as broadcasting for reception by the general public in order to meet the requirements of this service.

The Applicant proposes to use the Digital Radio Mondiale (DRM) standard. All data messages from this station must be in a form readily decoded by ordinary DRM receivers and rendered as publicly accessible content without encryption or obscuration of their purpose or meaning.

While Section §73.758 authorizes “datacasting” to stations using DRM, it does not allow any form of datacasting that is not also broadcasting.

The Parties are not opposed to international data broadcasts or to DRM. Our members pioneered such services at the Voice of America,³ and have operated DRM promotional websites recognized by the DRM Consortium for more than a decade.⁴

³ The Voice of America began transmitting text and imagery via AM audio on the HF bands in 2013. VOA broadcast such programs until 2017 when they became the independent service Shortwave Radiogram.

⁴ Currently DRMNA.info.

Persons wishing to conduct commercial HF point-to-point messaging for third parties should do so in a radio service dedicated to that function; and if none exist⁵, they should petition the FCC to create or reinstate such a service, affording full ventilation of public notice and comment.

Further, the Commission should address barriers to innovation in the hoary Part 73F rules, some dating from the 1930s and now without any articulable public interest basis. They include excessive minimum required power level,⁶ and a prohibition on domestic service⁷ among others. Rule changes might embrace data communications under an expanded scope of service.

The Parties are aware that the Commission has authorized international data stations in the Experimental Radio Service.⁸

However, Experimental Radio stations are licensed for time-limited, technical investigations only. They were never conceived to engage in revenue operations indefinitely as an alternative to regular spectrum allocations and transparent, public license assignment procedures.

Regardless of audio programs Parable may transmit, licensing a point-to-point message facility as an International Broadcast Station would be an impermissible excursion around formalizing an international private data service or updating existing rules to accommodate it.

The Commission should require the Applicant to document its compliance with Rule §73.731(a)(1), *Licensing requirements*, by a “satisfactory showing ... that there is a need for the international broadcasting service proposed to be rendered.”

⁵ The FCC abolished the International Fixed Public Radio Service for lack of interest. *See* Report and Order, Elimination of Part 23 of the Commission’s Rules, IB Docket 05-216, released January 14, 2010.

⁶ §73.751.

⁷ §73.788(a).

⁸ See for example station WI2XNX, authorized more than 800 kW of effective radiated power in 6-21 MHz. Under the rubric of “trade secrets” the FCC withholds from public inspection most information about these operations.

Such a showing should identify the nature, audience and clientele for the proposed data service.⁹

The applicant must certify that no nonpublic, non-broadcast, nondisclosed, encrypted, confidential or clandestine data messages shall be sent over the proposed station.

The Parties respectfully request the Commission to act in accordance with the views herein.

Respectfully submitted,

THE HIGH-FREQUENCY PARTIES



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⁹ International Broadcast Stations must identify the names and general character of their sponsors. There is no exception to this rule for datacasting. §73.788(b)(1).

I certify that copies of this Informal Objection were sent today via electronic mail to:

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An original was sent today via First Class Mail to:

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July 8, 2020