Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In re Application of	)	
	)	File No.
Selma Weather and Information Forum	)	**0000231868**
	)	Facility ID
For New LPFM Construction Permit	)	787789
	)	

PETITION FOR RECONSIDERATION

Selma Weather and Information Forum (SWIF) , an African American controlled non-profit, pursuant to 47 CFR §1.106 of the Commission's rules, hereby submits this timely filed Petition for Reconsideration of the January 19, 2024 Commission dismissal of SWIF's application for a new LPFM station construction permit (CP). After having received two federal disaster declarations from Hurricane Zeta in 2020 and from the January 12, 2023 tornado SWIF viewed the opening of the LPFM window as an answer to prayers for a non-commercial radio station that could afford to devote significant programming to public safety information during a natural disaster or public emergency. It would be tragic if the Selma community is denied service because of a clerical error.

A single-digit error transcribing the numerical coordinates located the proposed antenna in the ocean near Bermuda, hundreds of miles away from the other locations referenced by the CP. SWIF respectfully requests that the defective application be reinstated and a change or amendment be effected to correct this clerical error[1] in order to serve the

[1] *Commission States Future Policy on Incomplete and Patently Defective AM and FM Construction Permit Applications*, Public Notice, 56 RR 2d 776 (1984)

public interest of the citizens of Selma. The resulting application would be a singleton, and no potentially-conflicting applications have been filed as of this writing.

DISCUSSION

SWIF timely-filed CP 0000231868 on December 7, 2023 during the December 6-13, 2023 LPFM window. On January 19, 2024 the Commision dismissed the CP as defective, stating in part:

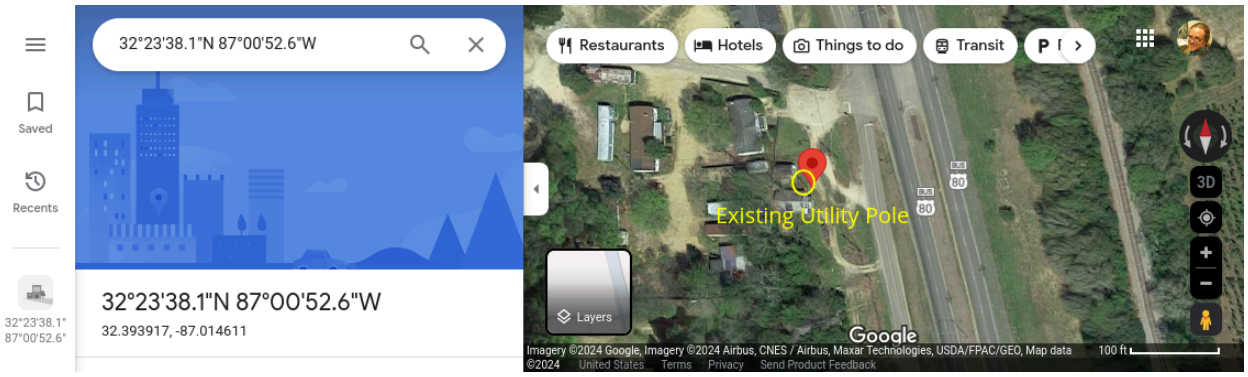
> Application proposes a transmitting antenna site located in the Atlantic Ocean approximately 560 miles east of the coast of North Carolina, and fails to satisfy the section 73.853(b) requirement that the applicant, its local chapter or branch, either (a) be physically headquartered or have a campus, or (b) have 75% of its board members reside within 20 miles of the proposed transmitting antenna site. This defect cannot be cured by minor amendment. See 47 CFR § 73.870(a) (minor amendment is limited to relocation of 11.2km (6.9 miles)).

The CP indicates the proposed antenna location, with varying accuracy, in several redundant ways.

1. Corporate headquarters (606 US Highway 80 E, Selma, AL 36701) are within 10/20 miles.
2. Certification that 75% of their board members reside within 10/20 miles, and the single board member's address is coincident with the corporate headquarters address.
3. A pledge that their studio, at the aforementioned headquarters address, is within 10/20 miles
4. The community of license is Selma, Alabama. Selma's Fire Department, within its urban area, is located at approximately 32°25'N **8**7°01'W

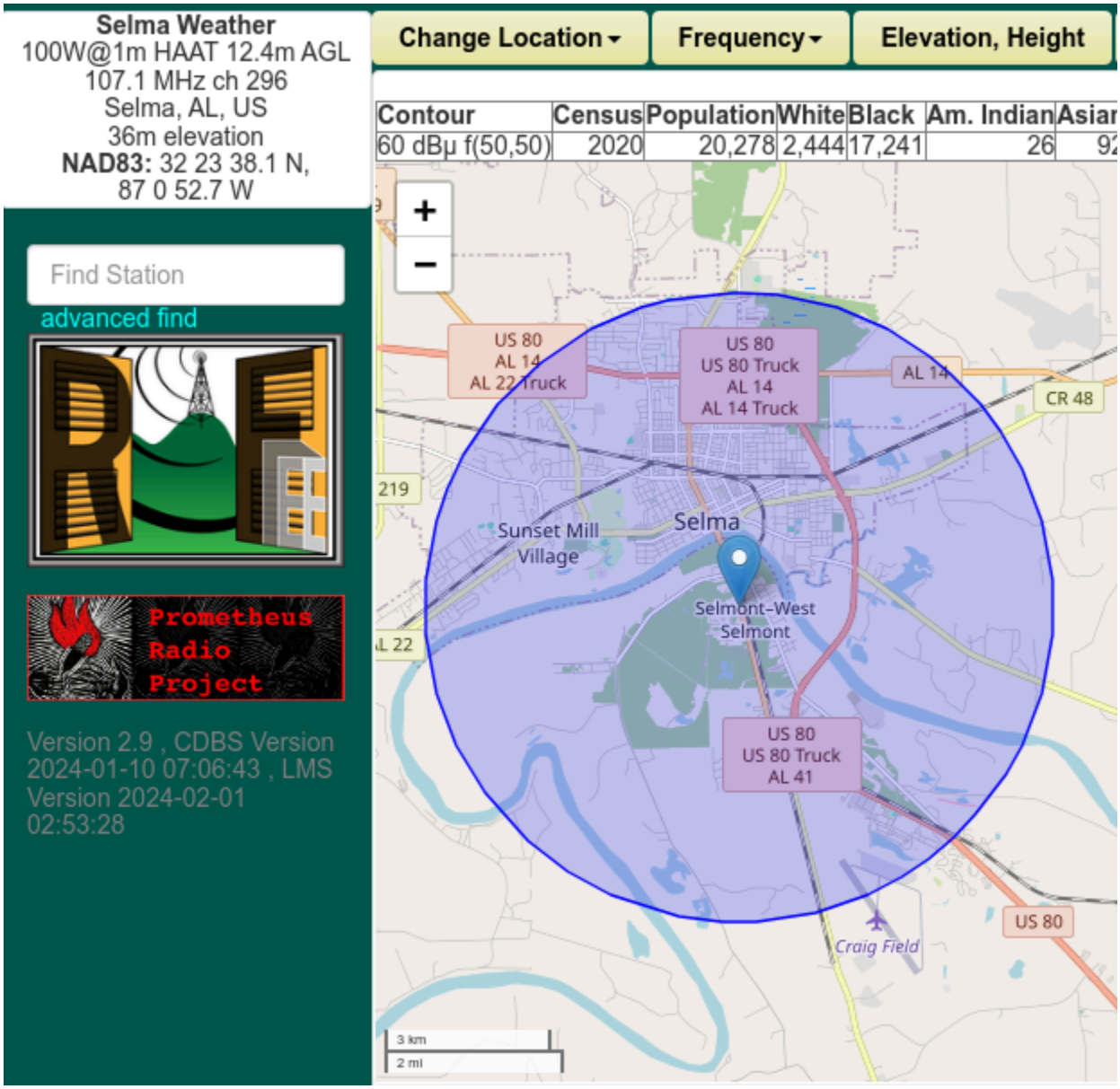
5. Antenna coordinates: 32° 23' 38.1" N+, 0**6**7° 00' 52.6" W
6. Antenna to be mounted on a utility pole. Such a pole is located on the headquarters property at 32°23'38.1"N **8**7°00'52.6"W.
7. Upon property owned by the reasonable assurer Randolph Williams. Mr Williams cannot own the ocean West of Bermuda.
8. The articles-of-incorporation attachment lists the Selma headquarters address.

All 8 explicit and implicit locations are certified as part of the CP so there is no reason to privilege any one location over the others. Seven of 8 of these locations are self consistent as being in or near Selma AL, mostly referring to the organization's headquarters, with the single exception of #5. The 14 digits of antenna coordinates only require a single digit change, from **6**7° to **8**7° longitude, for the antenna coordinates to become consistent with the remainder of the CP-specified locations, coincide with the headquarters address, the locality of Selma in general, and the location of the existing utility pole upon that property (as shown below[2]).



2 http://maps.google.com/?q=32.39391666666667,-87.01463888888888&ll=32.39391666666667,-87.01463888888888&z=20&t=h

That a single-digit change produces such extraordinary self consistency within the CP indicates that the defect is a clerical error.



Screenshot of the location and parameters intended by and communicated between SWIF and SWIF's consultant.

SWIF is prepared to supplement the record with additional documentation or declarations requested by the Commission.

IMPEDIMENTS TO ACCURATE DATA ENTRY

Given the crucial importance of geographical coordinates to precisely locate proposed antennas, it bears examining user-interface impediments to data-entry accuracy.

In almost all cases, applicants already have their desired coordinates in electronic form, for example in Google Maps, Google Earth, or any of numerous allocation software programs. Accuracy would be nearly guaranteed if coordinates could be cut/pasted into the LMS application, however LMS discourages this practice by forcing the applicant to enter data into 6 separate boxes -- degrees, minutes, and seconds separately for each of longitude and latitude. Cut/pasting coordinates requires four separate operations: cut, move mouse, paste, move mouse; performed six separate times. It is much simpler and faster to manually type the coordinates into each box, but manual transcriptions are prone to human errors, as in the instant situation.

Many modern systems requiring coordinate data entry offer a single (i.e., Google Maps & Earth, Prometheus RFree[3]) or perhaps two (i.e., ETRS) data-entry boxes, which makes the effort to cut/paste less than that of manual transcription, improving the chances of correct data entry. Google Maps, Google Earth, and Prometheus RFree, also accept coordinates in several formats: degrees-minutes-seconds and degrees.fractional-degrees, with and without N/S and E/W, separated by minus signs as

[3] *RFree* is web-hosted and openly-accessible LPFM allocations software created by the Prometheus Radio Project. http://rfree.prometheusradio.org

from fccinfo.com and so forth -- making it virtually guaranteed that one can paste coordinates quickly and easily from a variety of sources.

Since data entry is always subject to clerical error, and since coordinate precision is so important, ETRS, for example, has the user verify their coordinates on a map produced from the data they just entered -- an idea which would benefit LMS as well.

In the instant case, SWIF's consultant missed the transcription error despite a visible double check. It is unnecessarily difficult to distinguish between "6" and "8" because of the small typeface size. The minimum font size recommended for paper FCC documents is 12 points, and the LMS digits appear to be smaller than that on a fairly normal 100dpi monitor. The GSA recommends 16-pixel-high fonts[4], an FCC guideline recommends 14px fonts[5], and the digits on the LMS applications appear to be under 10px.

[4] *U.S. Web Design System (USWDS)*
https://designsystem.digital.gov/components/typography/#font-size-2
[5] *FCC Design Standards*
https://fcc.github.io/design-standards/1.x/docs/foundation/typography.html#bodyCopy

CONCLUSION

Several 2013-window LPFM applications[6] window also experienced dismissals due to location typos per 73.807(c), and were reinstated and corrected with the grant of a Petition for Reconsideration. SWIF respectfully requests that file number 0000231868 be reinstated and that through either staff action or applicant amendment, the longitude be corrected from 67 to 87 degrees.

Paul Bame
Prometheus Radio Project
Consulting Engineer to Selma Weather and Information Forum

[6] BNPL-20131114AUD, BNPL-20131112ABV, BNPL-20131114AVO