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TO: U. S. Radio Broadcasters

FM: Bob Cauthen
President-SCMS, Inc.

Date: 10-6-16

Subject: FCC Citation EB-SED-16-00022161

You may be aware of a recent citation issued to SCMS, Inc. by the FCC. This was a result of an inquiry the FCC made three years ago which both SCMS, Inc. and BW Broadcast thoroughly responded to in great detail. After three years with no further communication from the FCC, the subject citation was issued. Until then it was assumed by both SCMS and BW Broadcast that the earlier explanations and responses were satisfactory.

The only portion of the subject citation that was pertinent to SCMS and BW operations was the sale of the TX300V2 to the U.S. LPFM market. Other models mentioned were not marketed to the U.S. or the LPFM market. SCMS immediately responded to the FCC citation in detail and provided a copy of the FCC's own grant to BW Broadcast for the TX300V2 which was also available on the FCC's web site. After a week of requests, the following correspondence was received from the FCC Enforcement Division:

"Section 73.1660(a)(2) of the Commission's Rules [47 C.F.R. 73.1660(a)(2)] requires that transmitters used in the Low Power FM Service must be certified for compliance. The TX300V2 is certified with FCC ID 2ABPH-TX300V2. Therefore, the transmitter is acceptable. Be aware that 47 C.F.R. 73.811 limits ERP of LPFM stations to 100 watts at 30 meters height above average terrain. Accordingly, a LPFM licensee intending to use the 339.6 W TX300V2 must show in its construction permit application that the ERP/HAAT limits will not be exceeded."

The TX300V2 and a single bay circularly polarized antenna have been the best combination to satisfy the vast majority of LPFM CP's and still comply with FCC rules and regulations. The BW TX300V2 has dominated the LPFM market due to its features, price, quality, service, and availability. SCMS has and will continue to market only FCC compliant transmitters to the LPFM and FM markets.

It is easy to see how this error occurred with such a large Federal Government that is simply too large to manage. That is also true of many huge private corporations. The FCC does an exemplary job considering the massive bureaucracy it must deal with.

SCMS was founded 40 years ago and we are proud to have been serving the industry successfully for those many years with great integrity, exceptional service, and competitive pricing. We expect to continue doing that for many years to come. SCMS has always followed the FCC rules and the law in general with the utmost respect and diligence. We are pleased that this FCC action was reversed and sincerely hope fellow broadcasters will be diligent in making our industry stronger and better each and every day.

Thank you.
Bob Cauthen