

## LOW POWER TO THE PEOPLE

The Prometheus Radio Project may have been the lead plaintiff in the media industry's most important legal dispute, but the collective of West Philadelphia progressives with a do-it-yourself spirit and a principled belief in noncommercial programming had long operated without explicit permission as it challenged Big Media for a piece of the airwaves. Prometheus's roots were planted a few months after the implementation of the Telecommunications Act of 1996, when the group's founders grew upset enough about the lack of local content and diverse programming in their city's radio offerings that they went underground to start the West Philadelphia Pirate Radio (WPPR) station, 91.3, from a secret location in the economically impoverished but culturally rich neighborhood near the University of Pennsylvania campus.

Calling themselves Radio Mutiny, the collective aimed to provide West Philadelphia with news, commentary, and music that had no other outlet. They had a greater purpose, too, connecting with the emerging community media movement that helped ordinary people get their stories, ideas, and voices into a city whose airwaves were increasingly dominated by a small number of huge companies. Radio Mutiny members wanted to forge an open and free-spirited space on the dial, but they had no broadcast license, few resources, limited technical skills, and zero experience when they began. Participants put their own money into the project and, since they declared Radio Mutiny an "antiprofit"

organization, harbored no hopes of recovering the costs. Pete Tridish (petri dish), a long-bearded, impishly charismatic young carpenter and self-described anarchist who invented his playful pseudonym for the radio project, recalled: “All of our friends thought that we were, like, total losers” for trying to start a homemade media outlet. “People thought we were crazy, and were just really dismissive, which makes sense. They said, ‘You can’t just build a radio station.’” Yet Radio Mutiny did, right in Pete Tridish’s house. Getting it up and running took about nine months, and on several occasions the project stalled when the collective rubbed up against the limits of its abilities. “We blew up a number of amplifiers trying to set up the studio,” he told me. “But we made it.”

Not that Radio Mutiny’s equipment was especially powerful. Whereas the major commercial radio stations in cities such as Philadelphia commonly broadcast with 50,000- to 100,000-watt signals strong enough to reach listeners in distant suburbs, WPPR operated with 20 watts and rarely breached the neighborhood borders. While Clear Channel and Cumulus aggressively marketed their nationally syndicated programs and touted their sophisticated systems for transmitting clear signals across the large metropolitan region, on its Web site Radio Mutiny boasted, “We have been heard: As far in the northwest as Lower Merion and the West River Drive just before Germantown; On Delaware Avenue to the east, up near the Torresdale el in northeast.” WPPR’s signal did not interfere with others in the area, nor did its programming provide real competition for the big radio stations in the market. What Radio Mutiny did was offer a rhetorical challenge to the media industry at every possible opportunity, proclaiming on its Web site that “Radio Mutiny has set out to prove that in this era of corporate dominance and political backlash, this era in which a large portion of our society’s culture and consciousness is industrially produced by media conglomerates driven by fantastic profit margins . . . volunteers with a passion for culture and with vital, direct interest in civic affairs can make better programming than the mega-corporations controlling the majority of media outlets.”

Just what kind of content did Radio Mutiny offer? Music, of course, including jazz, zydeco, classical, folk, punk, funk, indy rock, and a range of international styles. Unconventional news, talk, and community programs, such as a show hosted by a former prison inmate

who critically examined the criminal justice system, life behind bars, and the vast dragnet that captured thousands of Philadelphia residents during the 1990s incarceration boom; the *Africa Report*, hosted by a former member of the African National Congress and antiapartheid activist who was part of the growing African immigrant population in West Philadelphia; and a safe-sex show produced by the “Condom Lady,” who interspersed her advice and commentary with classic disco tunes. These are not the formats that media consultants are likely to recommend to commercial clients, yet they reflected the concerns of WPPR’s hyperlocal audience. Soon West Philadelphia was buzzing with excitement about its new station, and more than forty-five amateur DJs were participating regularly. The same friends who had teased the Radio Mutiny collective for trying to make a do-it-yourself media outlet now wanted their own shows.

WPPR’S GROWING POPULARITY PLACED THE PIRATE STATION IN DANGER, though, because the National Association of Broadcasters (NAB) was actively pressuring then FCC chairman Reed Hundt to crack down on unlicensed operators. Although amateurs pioneered American radio, since 1927, when the Radio Act was passed, federal regulators have favored commercial operators and forced nonprofessionals onto the margins of the dial or off of it altogether. “Noncommercial radio virtually disappeared between 1927 and 1934,” wrote the media activist Greg Ruggiero, “shrinking to barely two percent of all radio airtime by 1934.”<sup>1</sup> Amateurs would remain on the fringes of the dial until 1948, when educational institutions persuaded the FCC to grant them low-power “Class D” broadcast licenses, not to exceed 10 watts on the low range (between 88 and 92 MHz) of the FM band (though they were later allowed to reach 100 watts), for noncommercial stations that would serve as both training grounds for future programmers and laboratories for the medium. The stations were never in high demand, but by the early 1970s the spectrum they occupied would be. In 1972, the Corporation for Public Broadcasting (CPB) petitioned the FCC for control of more space on the “educational band,” arguing that the quality and availability of Class D operators was so inconsistent that they failed to serve the public interest, and that the spectrum could be more effectively used for high-power public radio. The FCC complied in 1978,

ordering Class D stations to upgrade their power above 100 watts or lose their spots on the dial. The ruling effectively outlawed low-power stations, turning all microradio operators into pirates, forever doomed to sail the airwaves without license.<sup>2</sup>

For years the pirates operated below the FCC's radar screen, and the commission made little effort to monitor their work. That changed in 1993, when an unlicensed operator named Stephen Dunifer started Free Radio Berkeley (FRB was 25 watts at 104.1 FM) from a secret location, and used the station to challenge the authority of the FCC. Dunifer took inspiration from Mbanna Kantako, a legally blind public housing resident in Abraham Lincoln's hometown, Springfield, Illinois. In 1987 Kantako founded Human Rights Radio to air his community's concerns about police discrimination and racial inequality that commercial stations failed to cover. The commission raided FRB in November 1993, fining Dunifer twenty thousand dollars for broadcasting without a license. Dunifer solicited help from the National Lawyers Guild on Democratic Communication, which challenged the fine on grounds that the FCC's ban on low-power radio violated his First Amendment protections and undermined the public interest. A five-year legal battle ensued, during which FRB, which became a magnet for radio enthusiasts and volunteers, stayed on the air, and Dunifer crusaded for microradio, traveling widely to promote local projects. Although a federal judge shut down FRB's broadcast station in June 1998, Dunifer refashioned the project as FRB IRATE (International Radio Action Training Education), and, as a media educator and activist, he is now more effective than ever.

BY THE MID-1990S THE FCC'S ENFORCEMENT DIVISION BEGAN CRACKING down again on low-power stations throughout the country, and Radio Mutiny went on the air at a moment when dramatic stories of station busts were circulating through the independent media network. In July 1996, the aspiring dance music programmer Alan Freed began operating Beat Radio, FM 97.7, at 20 watts and 110 feet, from downtown Minneapolis. One year later, two U.S. marshals joined FCC agents to raid the station, seizing its equipment and taking it off the air. In October 1997, another group of U.S. marshals assisted the FCC in a raid on the Community Power Radio station in Sacramento, again confiscating its

equipment and forcing the station to shut down; later the next month the FCC took down two stations in Florida. When William Kennard replaced Reed Hundt as FCC chairman in November 1997, he signaled that he would heighten the campaign against pirates.<sup>3</sup>

Pete Tridish remembered Radio Mutiny's predicament. "Nine months after we got on the air, we're getting really psyched about it. Then we start hearing that the new chairman of the commission has gone out busting pirates. So we were getting a little nervous. If you don't let the FCC in, and they don't have a warrant, they can't really do anything. They'll often go back and get a warrant, come back a couple months later. But they can issue a ten-thousand-dollar fine for each unauthorized broadcast that they cite. If you do let them in, they can confiscate the equipment and anything that's attached to it." As they gained prominence in West Philadelphia, members of the collective began planning for a possible raid. "We had tried to stay out of the mainstream media," Tridish said, "because we heard that one of the main ways the FCC enforcement works is by searching the mainstream media, just reading articles. If a pirate comes up, that's where they send people. But then an article showed up about us in the local city paper. And a week later, we got our first visit from the FCC."

The core Radio Mutiny members were meeting across the street from the building that housed WPPR's studio and broadcast equipment, and they saw the agents at the door. An eighteen-year-old woman who was staying there answered the bell, yet she refused to let the men in suits enter. Lacking a warrant, the agents had no choice but to leave the premises and return another time. Initially, the visit produced conflict inside the Radio Mutiny collective, deepening the divisions between those who wanted to stay underground and those who wanted to steer the pirate station into the spotlight and stage a public confrontation. After a few hours of debate, though, they came up with a plan that everyone liked. Radio Mutiny would mobilize its members and listeners for a march to the site of Benjamin Franklin's printing press. They would carry the transmitter with them, daring the FCC to make a public show of force in the symbolic capital of the American free press. Tridish explained:

I made these really fun press calls. I'd say, "Hello, my name is Pete Tridish, from the Radio Mutiny collective. Until three days ago, we

refused all contact with the commercial media, but the other night, the FCC came and threatened to bust down our door and take away our radio station. So we are challenging the chairman of the FCC, William Kennard, to come on down, in front of Benjamin Franklin's printing press, and bust us for bringing a community radio station to Philadelphia." We made a big banner that said, "1763, Benjamin Franklin challenges the Stamp Act and refuses to pay taxes to King George. 1996, Radio Mutiny defies the FCC for Freedom of Speech." It was kind of corny, but it was Philadelphia, so why not?

A lot of the press came. It was great. We were trying to imitate Thomas Paine, and we put forward our seven-point platform for how we were going to make the FCC's life really suck if they did not legalize community radio. The main thing we said was that for every station like ours that they tried to harass or intimidate or shut down, we were going to travel around the United States and teach people how to build pirate radio stations and make sure that for every one, we would build ten in its place. We wanted to create a law enforcement situation that they could never keep track of or understand.

The FCC refused to take the bait. Yet Radio Mutiny's spectacle of defiance, aimed to publicly humiliate the commission, only strengthened the enforcement division's determination to take it off the air. FCC agents returned to WPPR five times in the subsequent months, but Radio Mutiny eluded them by moving the studio or finding ways to hide its equipment. Members of the collective railed against the commission during their broadcasts, making sure to taunt Richard Lee, chief of the FCC's Compliance and Information Bureau, for his personal role in muting community voices. "He was a weirdo," Tridish said, "but he also had a good sense of humor. He would send me these e-mails saying, 'Resistance is Futile. I'll be seeing you soon.'"

On June 22, 1998, Lee finally tracked down the station in a West Philadelphia apartment building, and, in an unusual move for a division director, he personally accompanied a team of agents to bring Radio Mutiny down. The crew arrived late on a Monday afternoon, not long before WPPR was scheduled to begin its evening broadcast, and waited for the show to begin. This was amateur radio, though, and that night's DJ, a former member of Free Radio Santa Cruz, was woefully late. No one was there to let the agents in, and nothing was

on the air. Frustrated, the FCC agents rang a neighbor's bell and got through the entrance, then forced their way into the studio by breaking the door lock. In a routine pirate radio raid, the FCC issues a citation for broadcasting without a license to the operators in the studio and confiscates the equipment. Lee was out for revenge, though, so he and the agents turned on the station signal, powered up the sound system, and put themselves on the air. "This is Richard Lee, chief of enforcement for the Federal Communications Commission. Radio Mutiny is an unlicensed broadcaster, and we are proceeding to take this station off the air!" Lee and his colleagues then pulled the plug, packed up the equipment, and brought it back with them to Washington. West Philadelphia Pirate Radio has been dead ever since.

FOR RADIO MUTINY'S CORE MEMBERS, THE STATION'S DEMISE MARKED the beginning of a national campaign to resurrect low-power radio that Pete Tridish had boldly announced at Benjamin Franklin's printing press. That summer, the collective embarked on a pirating expedition up and down the East Coast, stopping wherever there was interest to show community groups how to start unlicensed stations. The trip marked a turning point for the West Philadelphia activists, several of whom decided to concentrate on particular grassroots media projects when they returned. Pete Tridish, however, redoubled his commitment to the national effort, and in the fall of 1998 he joined with three collaborators, Greg Ruggiero, Sara Zia Ebrahimi, and David Murphy, to found the Prometheus Radio Project. Again based in West Philadelphia, Prometheus would provide legal, technical, and organizational support to groups struggling through the complicated process of creating a low-power station from scratch, and would also sponsor educational tours, conferences, and other events to generate public awareness about low-power stations.

Along with a group of media educators and youth radio activists in Washington, D.C., Prometheus planned its first event: a two-day conference, demonstration, and party in the shadows of its greatest adversaries, the National Association of Broadcasters, National Public Radio, and the FCC. The event would culminate in a spectacular demonstration that Prometheus planned to broadcast live with its portable equipment. Pete Tridish stepped up his defiant rhetoric. "They wouldn't bust

us in Philadelphia, in front of Benjamin Franklin, so now we dare them to bust us right in front of their own offices!”

In October, more than 150 pirate operators arrived in Washington, D.C., to debate media policy, teach radio skills, protest the federal war on community stations, and dance to the music of local bands. The participants made what they called giant metapuppets—a string of enormous marionettes with a monstrous, machine-age General Electric puppet controlling a giant gorilla representing the National Association of Broadcasters, which in turn controlled a Pinocchio puppet, complete with nose extension, representing the new FCC commissioner, William Kennard. They marched directly to the main FCC office and then on to the NAB headquarters nearby. When they arrived at the FCC, the protestors chanted, “FCC, go away, microradio is here to stay!” The FCC security staff did little more than watch the spectacle, so after this first stop the march moved on to its final destination, the NAB, where the pirates pulled off their greatest symbolic coup yet. With the giant puppets leading the way, the demonstrators pushed their way past the security guards and onto the NAB plaza, which held two flagpoles, one with the American flag, the other with the NAB flag. The group leaders had scouted the site before the rally, and they had arranged to have a pirate radio operator from New Hampshire capture the NAB flag and replace it with a Jolly Roger flag. The NAB security staff, focused on the raucous demonstrators, failed to notice what Radio Mutiny pulled off. “It was the big joke in Washington,” Tridish exclaimed. “The NAB got their flag captured.”

By waging a symbolic battle with the agencies and professional organizations that shape national media policy—the puppets, the flags, the defiant broadcasts, and the bold chants—Prometheus dramatized its sweeping strategy for promoting low-power radio stations during the same years that Big Media companies were spending billions of dollars to capture the commercial spectrum. Not only did these stunts and spectacles energize the community groups and radio operators who had so many reasons to feel dispirited after the Telecommunications Act of 1996 and the FCC started cracking down on pirate stations in the mid-1990s; they also attracted the attention, and ultimately the sympathy, of an unlikely coalition of policy analysts, think tanks, foundations, and federal officials who learned about the issue because activists forced it into public view. Pete Tridish even received an invitation



to participate in a policy briefing at the Cato Institute, the influential libertarian think tank whose leadership had begun to grow concerned that Big Media's stranglehold on the public spectrum was suffocating local democracy and silencing dissenting voices. The young pirate didn't know much about Cato, so he was surprised when he arrived in casual attire, portable transmitter in hand, to find that the audience of over one hundred suits included a staff member for the FCC chairman, William Kennard, representatives from the NAB, and several heavy-hitting lobbyists.

TRIDISH WAS EVEN MORE SURPRISED WHEN THE FCC STAFFER, WHO WAS an attorney, approached him after the presentation. "I know you don't believe me," Tridish remembered him saying, "but Chairman Kennard really likes community radio and we're going to try to legalize it." The lawyer explained how the process would work. In January of 1999 the FCC would initiate a Notice of Proposed Rulemaking, requesting that members of the public and the media industry submit formal comments, their own requests and recommendations for how the federal government should regulate low-power operators. Under Kennard's leadership, the FCC was willing to consider a number of controversial proposals, such as permitting low-power transmitters up to 1,000 watts, allowing new FM stations to exist without third adjacent channel separation requirements (which, for example, would prohibit a low-power station from a frequency between 89.9 and 92.1 if there were a station at 91.5), and licensing low-power commercial stations for groups that were underrepresented on the rest of the dial. Kennard had concerns about station interference, though, and his staff member instructed Tridish that the future of community radio depended on whether its advocates could formally submit credible engineering studies demonstrating that low-power signals would not cross into other broadcasts.

The invitation to participate in the regulatory process put Pete Tridish in unfamiliar territory. He had established himself as a leading activist in the pirate broadcast movement, and he believed there was political value in encouraging ordinary citizens to openly violate media policies that they considered undemocratic and unjust, most notably restrictions on broadcasting over the public spectrum. Yet Tridish knew he could not continue promoting unlicensed broadcasting if he was

going to work with sympathetic FCC staffers to win legal status for community radio. “We were entering a relationship with the FCC where we would have to start negotiating, and we just couldn’t do pirate radio work at the same time. They didn’t want to be proposing rules that we thought were fair, and then at the same time find out that we were encouraging people to break them.”

The choice was both controversial and consequential, since it contributed to an emerging division within the microradio movement. By cooperating with the FCC, Prometheus, a newcomer in the battle over low-power broadcasting, found itself opposed to pirate leaders such as Dunifer of Free Radio Berkeley and Kantako from Human Rights Radio. Dunifer and Kantako accused Kennard and the FCC of using a modest low-power radio-licensing proposal, one that they believed corporate broadcasters would weaken further once it reached the legislative stage, to appease their critics and deflect attention from the crisis of democratic communication wrought by consolidation.

Pete Tridish had his own concerns about the FCC’s proposal, and he was wary of entering a working relationship with the same federal agency that had just shut down Radio Mutiny. But he also understood that Kennard was going to push for some form of licensed community broadcasting regardless of whether or not its advocates participated in the policy-making process, and he believed that Prometheus could help to improve the outcome.

They would need new partners, though, so Tridish established ties with the Media Access Project, a leading public-interest legal firm whose talented staff had a long history of challenging the FCC and the largest media firms; the National Lawyers Guild, which had done pioneering work on community radio; and the Minority Media and Telecommunications Council. Together, they raised grant money to support the engineering research on signal interference that the FCC had requested. The study, conducted by Broadcast Signal Lab and released in June 1999, showed that low-power FM (LPFM) signals caused only minimal interference with other stations, and only within the “blanketing area,” a few hundred feet from the point of transmission. (The blanketing area for a 100-watt LPFM station is 401 feet, compared with 9,150 feet for a typical 50,000-watt station.) Low-cost filters, which all radio stations were already required to provide to listeners who had interference problems and lived in the blanketing area, solved the

problem. Alan Korn, an attorney with the National Lawyers Guild, claimed that the findings left little doubt that the FCC could relax its restrictions on community radio: “The National Association of Broadcasters has consistently used buzzwords like interference to scare the American public and hide their opposition to increasing the number of voices available over the airwaves. Our study shows that opening the airwaves to the public with LPFM will cause far less interference than that caused by existing full power stations. These results confirm that the only interference the NAB is really concerned with is interference with their monopoly over the radio dial.”<sup>4</sup>

Prometheus drew on research from its allies to reach out to established media policy organizations while also continuing to conduct outreach to community organizations and radio operators in hopes of generating public participation in the rule-making initiative. The response was tremendous. Whereas in the days before media reform groups like Free Press began mobilizing citizens, a typical rule-making initiative generated a few dozen letters, mostly from the companies whose interests were directly at stake in the policy, now roughly 3,500 people and organizations, including churches, civic groups, musicians, and listeners, wrote to the commission with suggestions about how the agency should regulate low-power radio.

Even the FCC was impressed. Bruce Romano, a member of the FCC’s Mass Media Bureau, told Tridish that the deluge of input inspired the bureau’s staff, many of whom had originally been drawn to media policy because they cared about public-interest issues and communications, only to find that they spent most of their time evaluating the competing claims of giant media companies vying to dominate the market. “Bruce told me that when the low-power ruling came along, and they saw all of these real regular people with bad grammar and weird schemes, they just saw so much hope in it that a lot of them couldn’t help but be moved. It gave some meaning to their work and created a context where people actually cared about the decisions they made.” (Staff members confirmed that the LPFM letters had inspired them.)

On January 26, 2000, the FCC officially authorized the creation of two new classes of radio—10-watt and 100-watt noncommercial stations, though not the 1,000 watt-stations nor the low-power commercial stations for which many activists had pushed—intended “to provide opportunities for new voices to be heard . . . in a manner that best

serves the public interest.”<sup>5</sup> Initially, the FCC would give strong preference to local organizations interested in serving their own communities, so long as the organizations were not already invested in another broadcast station. Yet there were few geographic constraints on the applicants, and the commission’s plan would effectively open up space for thousands more stations. LPFM advocates, including most of the 3,500 or so who sent formal comments to the FCC, were largely pleased with the outcome. Kennard was especially excited. He called the FCC’s decision an “antidote to consolidation” and promised to begin repairing the damage to the dial wrought by consolidation. “When hundreds of stations are owned by just one person or company,” he said in a press release, “service to local communities and coverage of local issues lose out.”

Many of the FCC’s fierce critics were skeptical about Kennard’s motivations. Soon after the FCC’s announcement, Dunifer sent a stinging e-mail to the community radio movement, part of which stated, “Congress does not give a rat’s ass about what any of us think or want. And neither does the FCC, it’s all about damage control on Kennard’s part. He knows that the government does not have the resources to deal with thousands of folks taking back their airwaves. So he had to come up with a strategy that would fool folks who somehow still believe the system has a degree of legitimacy and credibility and would participate in the process—just a charade really in the final analysis.”<sup>6</sup> Dunifer and Kantako had additional motivation to reject Kennard’s proposal for regulatory reform. The FCC insisted on refusing licenses to “organizations that broadcast without a license in the past, or individuals serving as officers or directors of organizations which broadcast without a license . . . unless they certify that they promptly ceased operations when notified of their violation by the FCC and, in any case, ceased operations as of February 26, 1999.”<sup>7</sup> This policy meant that the activists who had led the pirate movement during the previous decade would be excluded from the future of low-power broadcasting that they had made possible.

Dunifer’s criticisms, however stinging, would prove far less consequential than those of two unlikely groups that allied to oppose the FCC’s low-power radio initiatives, the National Association of Broadcasters (NAB) and National Public Radio (NPR). These powerful media organizations viewed LPFM as a threat to their established positions

on the dial, and they both lobbied aggressively to scale back the licensing proposal. The NAB's campaign came as no surprise. The eighty-four-year-old trade association exists to promote and protect the interests of professional broadcasters and its executive boards are packed with the presidents and CEOs of companies like Cox, Citadel, and Tribune. The NAB's influence over the FCC and Congress is a fundamental force in the media field, and while its largest members, such as Clear Channel, reaped enormous benefits from the deregulation, the Texas media conglomerate grew so much, and so quickly, that by 1999 it had lost many of its professional connections and shared interests with the smaller broadcasters that also belong to the NAB.

Just as the NAB's Radio Board found itself pulled in different directions, the fight against LPFM emerged as a common thread that could bring them back together again. Small and large radio corporations could at least agree that they did not want the FCC to open the door to new competitors, and, just as established broadcasters had done in the first battles over who could use the spectrum, they rallied around the threat of signal interference. The NAB issued a statement arguing that "the Commission's reasoning for creating these new services was to 'enhance community-oriented radio broadcasting,' but in doing so they are actually condemning radio stations across the U.S. to dealing with levels of interference that many listeners will find unacceptable." To make its point, the NAB distributed a compact disc to members of Congress that purported to demonstrate the kind of cross-station interference that would be caused by LPFM broadcasters.<sup>8</sup> And the NAB made special efforts to convince the leadership of National Public Radio, the nonprofit media institution revered by many of the liberal organizations and community groups that supported microradio, that LPFM signals threatened its status, too. On March 30, 2000, NPR complained that "the FCC took inadequate steps in adopting its LPFM decision to protect the signals and transmissions of public radio stations and radio reading services," and formally asked the FCC to delay implementation of its LPFM decision, "pending further testing and the adoption of suitable additional safeguards."<sup>9</sup>

Where Pete Tridish might once have reveled in an occasional fight against the giant media association whose flag he had captured, now he and his allies in the community media movement were dispirited when NPR allied with the NAB. Tridish claimed that "top management of

NPR went all out against LPFM” in congressional testimony and backstage lobbying, even while its leaders publicly voiced support (if weak) for the concept of microradio.<sup>10</sup> Along with most other low-power radio advocates, Tridish now has an abiding contempt for NPR’s leaders. “They just suck,” he told me, disdain all over his face. “NPR always claimed that they were completely in favor of low-power FM, and that they just had a couple of technical quibbles. But the technical quibbles were big enough that they lobbied against us in Congress. I’ve never met a more imperious bunch.”

Although federal cuts to the Corporation for Public Broadcasting budget had forced it to solicit private sponsors (a practice it continues even after Joan Kroc, the widow of McDonald’s founder Ray Kroc, left NPR \$200 million in late 2003), NPR remained a genuine alternative to the commercial giants that have taken over the radio dial. Promoting diversity and helping community voices get onto the airwaves are among NPR’s core values. Despite its limited political clout in the Capitol, NPR has enormous symbolic power when it aligns with the NAB, since commercial broadcasters can use NPR’s reputation to fend off accusations of reputed financial motivation. In the microradio debate, the NAB aggressively exploited its support from NPR, insisting that mutual concerns about interference, not aversion to competition, brought them together. The two organizations began lobbying Congress to write alternative legislation, the Radio Broadcasting Preservation Act of 2000, that would override the FCC’s decision on LPFM and dramatically reduce the supply of licenses. In an interview with *Wired* magazine, Chairman Kennard acknowledged his disappointment. “I can only conclude that NPR is motivated by the same interests as the commercial groups—to protect their own incumbency. That these people see LPFM as a threat is sad. They’ve done much in the past to promote opportunity and a diversity of voices.”<sup>11</sup>

Emboldened by Kennard’s interest in low-power radio, the FCC pushed back against the big broadcasters. The commission, which had already determined that the low-watt stations would not cause serious disruptions to incumbents, published strongly worded challenges to the NAB and NPR’s technical arguments against LPFM. The FCC had a powerful case, in part because its engineers had discovered that the NAB’s prime lobbying device, the CD distributed to show what two

adjacent radio stations would sound like with LPFM, was in fact a mix of two audio tracks merged in a studio, not an actual recording of station interference. On March 24, 2000, Dale Hatfield, chief of the FCC's Office of Engineering and Technology, and Roy Stewart, chief of the FCC's Mass Media Bureau, issued a press release that blasted the NAB for using a "misleading disinformation effort [involving] a compact disc . . . that purports to demonstrate the type of interference to existing radio stations that NAB claims will occur from new low-power FM radio stations. The CD demonstration is both misleading and wrong."<sup>12</sup> On March 29, the FCC published a fact sheet, "Low Power FM Radio Service: Allegations and Facts," that directly refuted a series of inaccurate claims made by the NAB and NPR, once again emphasizing that the CD distributed to Congress had faked the evidence of signal interference as a way of mobilizing legislators to overrule the FCC. "The type of 'crosstalk' interference suggested by the NAB in its misleading CD demonstration on Capitol Hill, where you can intelligibly hear portions of both transmissions, is not likely to occur from actual LPFM stations operating on 3rd adjacent channels when the receiver is properly tuned to the desired station: Any such interference that might occur from an LPFM station would nearly always appear as noise or hissing, as shown in the FCC's own CD demonstration on Capitol Hill. The NAB 'crosstalk' demonstration therefore does not represent actual FM radio performance and thus is meaningless."<sup>13</sup>

The opponents of LPFM were undeterred. After the commission exposed the NAB's use of mock interference, the NAB removed the recording from its Web site and replaced it with other studio recordings, now manufactured to better replicate the hiss of cross-talk. Trowned by proponents of community radio, the powerful broadcast lobby took its campaign to restrict the LPFM licenses to the back rooms of Congress, where it remained influential. The stealth operation succeeded. In December 2000, Congress attached the Radio Broadcasting Preservation Act to a spending bill that the Republican leadership was determined to push through, and it passed with little public debate. The act mandated station channel separations far beyond what the FCC had recommended, a move that effectively closed off thousands of potential open frequencies for community stations in metropolitan areas, reducing the number of available licenses from five or six to one

or two in many markets. Congress's decision effectively banned low-power licenses altogether in the top fifty urban markets, which meant that many of the strongest LPFM advocates would be unable to get on the air. In January 2001, newly elected President George W. Bush announced that Commissioner Michael Powell would replace Kennard as FCC chairman, leaving the low-power radio advocates without their greatest ally in Washington. According to Tridish and fellow activist Kate Coyer, "LPFM was alive, but eviscerated."<sup>14</sup>

After reluctantly agreeing to work with the FCC, Tridish couldn't help but question whether community radio advocates had lost more than they had won. But with Powell and the Republicans now running the commission, he'd no longer be collaborating with the FCC's leadership, anyway. The altered legislation generated thousands of license applications from community groups, religious organizations, schools, and radio enthusiasts, all of whom were eager to get on the air. Tridish knew that many of the applicants would need help starting their stations, and that Prometheus, with its technical expertise, policy knowledge, and strong ties to media activists, could play a key role in the process. It was time to return to the grass roots, and Tridish had another dramatic plan to get there.

PROMETHEUS ANNOUNCED IT WOULD BEGIN ORGANIZING BARN RAISINGS, based on the frontier tradition of collective home building. Locals and volunteers would join to build a studio, assemble the tower, raise the antenna, and begin broadcasting, all in a weekend. As a young carpenter, Pete Tridish had volunteered on Habitat for Humanity projects, and he remembered how building a house from scratch could generate powerful emotional attachments between the participants. His plan was to adapt the model, using the construction process as a forum for teaching basic radio engineering and production skills to new operators, and parlaying the energy won through collective labor to forge a community that would last beyond the event. "I thought that with building a grassroots movement, what better thing to do than to have people able to come and learn skills at the same time that they're helping. Obviously, there's easier ways to build a radio station than to have a bunch of people who haven't built one before help. But actually the model has been really good. It's a focal point for the public debate, a



focal point for the movement, and it's a great excuse for everyone to come together."

Prometheus organized its first barn raising in spring 2002, when it traveled to Churchton, Maryland, to help the South Arundel Citizens for Responsible Development (SACReD) set up the 100-watt station WRYY (We aRe Your Radio) 97.5, the fifth licensed LPFM station to go on the air since the FCC enacted its new policy. In Maryland, SACReD had established its reputation by fighting to restrain runaway development in the Chesapeake Bay region, including one notable project preventing builders from replacing sixteen acres of forested wetlands with a large strip mall. Michael Shay, SACReD's founder, applied for a radio station so that the group could diversify and "[shine] a flashlight" on local government and help other activists "preserve community history."<sup>15</sup> More than 150 volunteers turned out for the barn raising, during which Prometheus led workshops on topics such as "using a mini-disc recorder," "the fine art of deejaying," and "introduction to radio engineering," while others labored to put up the station.<sup>16</sup> WRYY made its first broadcast at the end of the three-day event and initiated its regular schedule a few months later. WRYY's program offerings include local talk and news shows such as *A Neighbor*, *Parents Journal*, *Local Lowdown*, and *Community Folk*; funk, country, musical memories, rock, and gospel hours; plus *Free Speech Radio News* and *Clean Power and Fresh Air*.

In December 2003, Prometheus went to Immokalee, Florida, to help the Coalition of Immokalee Workers (CIW), a group of some 2,500 Mexican, Haitian, and Guatemalan immigrant farm laborers, start their own station, WCIW, 107.9 FM. The Immokalee project was especially challenging, as CIW core members work collectively but do not have a common language, requiring organizers and workers to mediate between Spanish, Quiche, Zapotec, Creole, and English. The coalition, which had led successful campaigns against brutal labor practices in the Southwest Florida agricultural industry, was in the midst of a contentious struggle with Taco Bell. The fight involved a high-profile boycott of Yum! Brands, which also owns Kentucky Fried Chicken, Pizza Hut, and Long John Silver's, until it agreed to pay workers a penny more for each pound of tomatoes they picked. Some Southwest Florida politicians were unhappy about the negative attention generated by CIW's activities, and when Prometheus organizers

began working with the coalition to plan the station, they learned that several local officials were reluctant to give the farmworkers a building permit for the tower.

According to Prometheus member Dharma Dailey, a communications failure during a public health crisis helped the CIW make its case. “During the debate there was a water advisory because a chemical contaminant had gotten into the water. Town officials used the mainstream radio to issue a warning, but none of the Immokalee had heard it. This came up at our meeting, because the officials learned that their public health warning hadn’t gotten through. The farmworkers said that they needed media that could reach their community, too,” and the local board finally gave in. The coalition got its building permit, Prometheus helped rally another group of volunteers, and, after another three-day barn raising, WCIW was on the air. About fifteen months later, Taco Bell ended the three-year boycott by consenting to the penny-per-pound pay raise that its tomato pickers demanded. The U.S. Congressional Hispanic Caucus called it “a truly historic agreement, marking perhaps the single greatest advance for farm workers since the early struggles of the United Farm Workers.”<sup>17</sup> WCIW broke the news—live, and in every language its members speak.

IN RECENT YEARS ANOTHER KIND OF LANGUAGE BARRIER HAD OPENED A cultural chasm in Nashville, Tennessee, a vibrant city that is at once the buckle of the Bible Belt and a pocket of liberal voters in an important swing state. Disaffected residents there say that since the Telecommunications Act of 1996, talk radio in Nashville has become less local, more conservative, and unresponsive to its citizens, most of whom are Democrats. As of 2005, Clear Channel owned five stations, Cumulus owned three, and the Moody Bible Institute of Chicago ran two more in the area. A Vanderbilt University professor who showed me around town complained: “Radio here is just unbearable. It seems like Clear Channel owns eighty percent of the stations. Most people I know have just turned it off.” According to Cecily Letendre, a radio enthusiast in her early thirties whom I met at the barn raising, “Nashville is similar to the rest of the country. Talk radio is dominated by the right wing: Rush Limbaugh, Sean Hannity, Mike Savage. There aren’t liberal voices being heard in middle Tennessee. Memphis has Air America now. We

don't have anything like that." Even music radio, in the town famous for its recording studios and live-music venues, began losing its local flavor when commercial broadcasters adopted the standard formats they played in the rest of the country.

As early as 1997, Ginny Welsch, a veteran radio personality in town, had grown so concerned about the rising corporate pressure to standardize content, replace DJs with voice-tracked shows, cut civic-affairs and public-interest programming, and reduce the number of records in rotation that she thought about leaving the business. She told me: "Nashville radio is terrible for local bands, terrible. They've cut down how many records they play to like nothing. There's nothing local about it. You'd think it would be hard to decide what to play in a specific market. I'm not from Nashville. I grew up in St. Louis, lived in New York for a long time, in Washington, D.C., and in Austin, Texas. None of these cities are alike, at all, and yet the big radio companies decided that people's tastes and sensibilities are the same in every single city. They've gentrified American radio, and we've lost the things that give texture and context and make it interesting."

Welsch decided to keep her day job on commercial radio, where, like many others in the industry, she used a stage name while also establishing a side business doing voice-overs. In her spare time, Welsch began recruiting friends, including her brother Greg, as well as Beau Hunter, a former San Francisco musician and radio contributor, to join her in planning a community radio station, Radio Free Nashville (RFN). Their first meeting was at a restaurant, after which news about the project spread through the city's active arts and culture networks, spurring an eclectic mix of supporters to begin participating in open sessions at the Nashville Peace and Justice Center. Ginny Welsch defined a simple mission for the project. "We believe democracy cannot function if only a few have access to the media, and we want to be the forum for the voices, the viewpoints, the people, and the music that have historically and consistently been denied access to the media or misrepresented by the corporate media. That's really our only policy."

It was an appealing message. The *Nashville Scene* reported that "by 1999 they'd grown to include college-radio hosts, teenage punks, a certified public accountant, utility workers, and a labor activist. Meeting twice monthly, the proposed RFN began drawing 20 and 30 people each time."<sup>18</sup> The group had virtually no funds, making even a small

AM station out of reach. Members closely followed the debates on low-power FM radio in the Capitol, hoping to land one of the new licenses proposed by Chairman Kennard. Yet when Congress diluted the FCC's policy, Nashville became ineligible for an LPFM station. RFN members became despondent, and many stopped attending the planning meetings. Even Ginny Welsch and Beau Hunter began to lose hope.

Then they got lucky. Powell, newly installed as FCC chairman, followed Kennard's precedent by approving a new spate of LPFM licenses to signal support for local operators even as he pursued an aggressive campaign to deregulate other media industries. Again, critics slammed the FCC for giving away a handful of LPFM as a way to legitimate the massive benefits it was poised to offer the conglomerates. But Welsch and Hunter were determined to exploit the opportunity. They found a ham-radio operator who was willing to give RFN a spot on the tower he had built on his land in Pasquo, a semirural, suburban area outside Nashville, and they pledged to the FCC that their 100-watt station would not interfere with any commercial outlets. In May 2002, the FCC tentatively approved the license for 98.9 FM, a prime spot on the dial, and suddenly RFN—without a budget to build a studio, raise a tower, or pay a staff—began scrambling to get the station up.

It was a false start. Within days, a radio station in Lebanon, Tennessee, filed a petition to deny RFN its license because, its owners claimed, the microradio broadcast would interfere with its own signal. Although the claim was ruled to be specious, it took the FCC sixteen months—until the end of October 2003—to say so. When it did, RFN faced an imposing deadline. If the station wasn't on the air by April 30, 2005, the license would be revoked.

Enter Prometheus. By the end of 2003 the organization had become a key player in national and local media politics. Yet it still had only four employees working in a church basement, all for less than ten dollars an hour, and it was getting so many requests to help set up LPFM stations that it had to turn down invitations. Almost immediately after hearing from Welsch and Hunter, though, Pete Tridish knew that RFN was a perfect match. "We wanted to do a barn raising in a red state. LPFM is not just something that liberal East Coast professors think would be a good idea. All kinds of people want to do it. There are important senators here, too. Bill Frist and Fred Thompson. Radio Free Nashville would help us to tell the story of LPFM; it's a station we

could showcase and talk about.” Prometheus organizers traveled to Nashville and began helping the group meet the technical and bureaucratic challenges involved in opening the station. The official license approval proved to be a boon for membership, and soon some seventy volunteers, including a group of twenty-five to thirty regulars, were contributing to the project. Confident and excited, they scheduled a barn raising for the first weekend in April 2005.

MY FLIGHT FROM NEW YORK CITY TO NASHVILLE WAS HARROWING. Fierce storm clouds lined the skies from the Eastern Seaboard to the Deep South, and the small jet carrying me bounced its way through an airborne sea of thick, gray cumulus, landing into a downpour. The trip to Pasquo was not much smoother for RFN. Less than a year before it planned to go on the air, the radio enthusiast who donated a spot on his tower for the LPFM station died suddenly. His heir, finding no mention of the station in the will, refused to cooperate with the group. This was no small crisis, since the FCC had given RFN a narrow range of places to base its signal, and the organization had not identified an alternate site, nor did it have the money to purchase land if something came on the market. But once more, an unlikely source helped the group avert disaster.

April Glaser is a pink-haired teenager with a passion for obscure music and sparkplug energy that bursts out of her compact frame. She graduated early from high school, started an internship at the American Civil Liberties Union, volunteered with Food Not Bombs, and, at age seventeen, became the youngest member of the RFN executive board. April earned her way into the position by working relentlessly as a fund-raiser and organizer, and by inspiring confidence that the community station would attract a generation of Nashville residents that finds little compelling content on the dial. She was living with her father, Ed, a podiatrist who owns Sole Supports, a successful orthopedic insert company, when one day she mentioned to him her disappointment about the station’s loss of the tower. Ed, who describes himself as a run-of-the-mill Democrat, was annoyed by the extreme right-wing talk shows that saturate the airwaves but too busy to do anything about it. He is also an exceptionally proud parent who was moved by April’s commitment to RFN. After watching April and her collaborators

search in vain for land, he surprised them all with a radical proposal. He had been thinking about moving out of the city. What if he purchased an open tract of land in the hills of Pasquo, where RFN's license allowed the station to operate, put in a portable prefab home to share with April, and then built a studio and tower alongside it? Welsch, Hunter, and the other board members could hardly believe the offer. But Ed was serious, the land was available, and days later the station had a new life. All they had to do was build it.

Together, Prometheus and RFN recruited a record number of registrants for the barn raising, and a week before the event Pete Tridish led a large group of staff and volunteers from the East Coast down to Nashville to prepare. But they still weren't in the clear. Supporters canceled a benefit that would have provided desperately needed funds; a local agency ruled that the designated signal tower was unsuitable for the land; and RFN had to put off the final, mandatory electrical inspection so it could get the proper equipment.<sup>19</sup> In the meantime, torrential rains poured down on the land surrounding the Glaser home, transforming the grounds where visiting volunteers were supposed to camp into a soupy mud field, and gale-force winds unmoored the tents where workshops were scheduled to meet. The Prometheus staff reassured RFN members that they would be able to assemble and raise the delicate tower—provided, of course, that the rain stopped and the winds calmed. Yet the forecast was ominous, and Friday, the official opening of the barn raising (and, for good measure, April Fool's Day), brought the week's most severe storms. The event began anyway, in the bedrooms and common areas of the Glasers' house rather than in the tents.

When I reached Pasquo on Saturday morning, one hundred people—high school and college students, engineers, young professionals, anarchists, techies, LPFM operators from other towns, aspiring programmers, and scores of RFN members—were scattered around a camper, a van, and the unfinished studio, bracing themselves against wind gusts up to forty miles an hour and a rare April frost. But caterers nearby had donated gallons of coffee, and the volunteers were exchanging warm introductions. By 9:30 everyone was ready to work.

The day began in a workshop on reporting, held in April's bedroom. Eighteen people who hoped to produce their own segments for RFN squeezed around a folding table, teenagers and senior citizens cramped beside each other to hear experienced radio journalists explain how to

conduct interviews (“Let the person talk. It sounds bad if you say ‘uh-huh’ a lot”) and find decent equipment (“Don’t skimp on the microphone—it’s important!”). A man in his sixties interrupted to ask if he was in the right place. “I’m not a man of many words. But I’m here because I like old-time rock and roll, Little Richard, Elvis, the Beatles. And I like humor. Is this for me?” Another large group huddled together in the back of a moving van for a seminar on radio transmitters and antennae, which I joined on the tail end for a hands-on demonstration of how to assemble RFN’s new equipment.

Pete Tridish toiled in the background for most of the morning, occasionally peering into a small engineering project to remind the trained instructors to let the amateurs try building things themselves. By afternoon the winds had died, and the growing crowd of volunteers was busy at work. Small groups formed around the information booth that the Prometheus staff had set up outside of their camper. Others gathered near the tables of food delivered by local restaurants and residents or participated in various construction projects that were under way around the house. In the side yard, about two dozen people took hammers and wrenches to the seventy-foot radio tower, crouching to assemble it section-by-section, piece-by-piece, as it lay sideways on the muddy terrain. Indoors there were more seminars, on underwriting and pledge drives, station governance, and writing for radio. RFN’s reporting staff, fresh from their lessons, circulated through the site to conduct their first interviews for a show about the barn raising. That evening, after a massive buffet dinner, Prometheus staffers called out for help placing a device for the tower lift near the top of an enormous tree. A college student named Liz Arnold calmly approached the tree, then scrambled some sixty feet up by hand to do the job while a large crowd gathered beneath to marvel. “She says she’s a climber, and I know she’s going to be fine,” Tridish told me as we stared up into the dark branches. “But this makes my stomach turn.” Arnold completed the task to a burst of hooting below, and after landing she joined the late-night celebration by the campfire that closed the night’s work.

On Sunday a blazing sun brought spring to the hilly region, drying the land enough to hold the tower base before the midday raising, which would be done by hand and pulley rather than by crane. As the volunteers congregated for breakfast, Ginny Welsch leaned back against a table at the end of the driveway, her face flush, eyes lost in a long,

incredulous daze. “I can’t believe this is happening,” she kept saying, as she hugged volunteers and squeezed the hands of everyone who stopped by. “We started this eight years ago. *Eight years!* It was a pipe dream. And tonight we’re actually going on air.”

Around her, work crews raced to finish the final projects, connecting the sound board and mixer, wiring the Emergency Alert System, securing the tower, writing and rehearsing for a radio theater story on RFN’s founding, while the seminars continued indoors. At noon, everyone stopped their work to help hoist the tower. Three teams lined up to brace the heavy ropes of the pulley system that they would tug on command; one group stabilized the tower; and another, led by Pete Tridish, climbed up to the roof to balance the top and direct the process. A local engineer gave us the signal. “One, two, three, heave!” And we pulled, one side at a time, shifting back and forth to maintain balance, until the tower locked into the base. We cheered, slapped hands, and smiled in anticipation. Just a few more hours to go.

By 6:00 p.m. the studio was ready for testing, and April Glaser gathered with a few friends and volunteers to pick the first songs she’d play when she had her turn to go on the air. “I think it’s got to be Kraftwerk, that would be so rad,” she said. “You listen to Kraftwerk?” a friend replied. “I thought I was the only one, alone in my room.”

Dozens of new RFN programmers and on-air personalities had similar conversations as the final countdown to first broadcast began. Some were predictable: liberal talk, an environmental hour, Nashville and Tennessee politics, and a variety of music that rarely makes it onto the commercial dial. Others were utterly idiosyncratic: “fire safety,” “health at any size,” “Christian dissent,” “vulgar music,” and “pulp country,” to name a few. No one knew just how much time it would take to program the station, nor how many listeners they would attract in the small, semirural area that the 100-watt signal would reach. But they couldn’t wait to get started making just a piece of the airwaves their own.

As broadcast time approached, everyone crowded together on the patch of open land in front of the studio and passed around bottles of cold beer. We all watched as Ginny and Greg Welsch climbed the short stairway up to the studio doorway landing, where a microphone was set up. We shouted in support and counted down the final seconds until the clock hit seven, when someone called out, “Flip the switch!”



Though she had imagined opening the station by announcing the call letters and triumphantly proclaiming that Radio Free Nashville was on the air, Ginny found that impossible. Overwhelmed by joy, she broke down instead, crying in her brother's arms. RFN's first broadcast opened with several seconds of blissful silence, followed by the whooping hollers of the volunteers who had helped build the station. When Ginny regained her composure, she grabbed the mike and pulled herself up. "From Pasquo, this is Radio Free Nashville, 98.9 FM." Greg leaned in over his sister and yelled out the barn-raising theme, "Low Power to the People!" More cheers. The DJ cued Jimi Hendrix, and everyone kissed and embraced like it was New Year's Eve. RFN soon got its first phone call, from a listener who was getting the signal some twenty-two miles away. Ginny broke out in an enormous smile, and her eyes fixed on the open sky above us. "This could be bigger than we thought."