

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Petition of:)	
)	
The Electric Plant Board of the City of)	
Russellville)	
Cumberland Cellular, Inc., d/b/a Duo County)	
Telecom)	
North Central Telephone Cooperative, Inc.)	MB Docket No. 17-225
)	
For Modification of the Market of Television)	CSR-8940-A
Station WBKO)	
)	

REPLY TO OPPOSITION

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North Central Telephone Cooperative, Inc.

SUMMARY

In their Petition, the Electric Plant Board of the City of Russellville, North Central Telephone Cooperative and Cumberland Cellular, Inc., d/b/a Duo County Telecom (collectively, “Petitioners”) demonstrated that modification of the television market of WBKO, the ABC affiliate in Bowling Green, Kentucky, to include six communities located in Logan, Allen, Cumberland, Adair and Russell Counties in Kentucky (the “Communities”) is fully warranted under the statutory factors and Commission precedent. In addition, the Petition demonstrated the close economic nexus that exists between the Communities and WBKO’s city of license, Bowling Green, an additional factor that further weighs in favor of including the Communities in WBKO’s market.

The Opposition filed by Scripps Media, Inc., on behalf of CBS affiliate WTVF-TV, Nashville, Tennessee (the “WTVF Opposition”), should be given no weight by the Commission. Although WTVF’s Opposition is heavily focused on the communities of Russellville, Scottsville and Burkesville, Kentucky, which are all within the Nashville DMA, WTVF also argues against modification in Columbia, Jamestown and Russell Springs, the communities served by Duo County within the Lexington and Louisville DMAs (the “non-Nashville DMA Communities”), under the access to in-state stations statutory factor. With regard to the remaining four statutory factors, WTVF fails to rebut any evidence presented in the Petition in favor of granting the requested modification for the non-Nashville DMA communities. WTVF also attempts to cloud the record with allegations that Petitioners were insufficiently forthcoming in their description of the relevant facts. While Petitioners have worked out a burdensome and limited market solution to retransmit *some* local WBKO programming to consumers in the Communities, that does not detract from the need to provide complete local programming, including highly important unscheduled local programming, which by its nature includes breaking news, emergency alerts

and severe weather events which often occur during times when the Petitioners are not allowed to provide WBKO programming. Under relevant Commission precedents, technical work-arounds to address the lack of access to in-state programming are not dispositive of whether a station's local market should be modified. Nor does the distribution of some local WBKO programming to consumers in the Communities otherwise trump the strong evidentiary showing presented in the Petition demonstrating that WBKO meets all statutory criteria for status as a local station in the Communities or rebut evidence demonstrating the important economic connection between the Communities and Bowling Green.

Furthermore, WTVF's contention that grant of the Petition "would upset the economic expectations of the marketplace and unnecessarily disrupt viewer expectations without producing any gain" has no merit. The ABC Network already upset the marketplace and disrupted viewer expectation in 2014 when it no longer permitted WBKO to exercise its statutory right to grant retransmission consent for carriage of its full station signal in the Communities. Ironically, what is missing from the WTVF Opposition, other than claims of some duplicate syndicated programming between WTVF and WBKO, is any indication why the station is even challenging the Petition. WTVF's primary stream is affiliated with the CBS Network, while WBKO's primary stream is affiliated with the ABC Network, and the multicast streams are also not duplicative.

As the Petition and this Reply to Opposition outline, the Communities and the counties they reside within are indisputably a natural part of the Bowling Green market, and Petitioners have fully met all statutory criteria for status as a local station in the Communities. Petitioners respectfully submit that the Commission expeditiously grant the relief requested in the Petition.

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REPLY TO OPPOSITION

I. INTRODUCTION

In their Petition, the Electric Plant Board of the City of Russellville, North Central Telephone Cooperative and Cumberland Cellular, Inc., d/b/a Duo County Telecom (collectively, “Petitioners”) demonstrated that modification of the television market of WBKO, the ABC affiliate in Bowling Green, Kentucky, to include six communities located in Logan, Allen, Cumberland, Adair and Russell Counties in Kentucky (the “Communities”) is fully warranted under the statutory factors and Commission precedent.¹ Modification of WBKO’s market to include the Communities will increase residents’ access to in-state broadcast programming from their subscription television service and fully satisfy the four other statutory factors that the

¹ *Petition of Electric Plant Board of the City of Russellville, North Central Telephone Cooperative and Cumberland Cellular, Inc. d/b/a Duo County Telecom*, Petition for Special Relief, MB Docket No. 17-225 (filed Aug. 23, 2017) (“Petition”). The Petition requested modification covering the following areas: Russellville, Scottsville, Burkesville, Columbia, Jamestown and Russell Springs, Kentucky, along with surrounding unincorporated areas served (collectively, the “Communities”).

Commission must consider when evaluating whether to adjust a station's local market. In addition, the Petition demonstrated the close economic nexus that exists between the Communities and WBKO's city of license, Bowling Green, an additional factor that further weighs in favor of including the Communities in WBKO's market.

Scripps Media, Inc., on behalf of CBS affiliate WTVF-TV, Nashville, Tennessee ("WTVF"), filed an Opposition ("WTVF Opposition") attempting to cloud the record with allegations that Petitioners were insufficiently forthcoming in their description of the facts, misstatements of law, misapplications of precedent, and inaccurate and unsubstantiated factual claims.² However, while Petitioners have worked out a burdensome and limited market solution to retransmit *some* local WBKO programming to consumers in the Communities, that does not detract from the need to provide complete local programming, including unscheduled local programming, which by its nature includes breaking news, emergency alerts and severe weather events which often occur during times when the Petitioners are not allowed to provide WBKO programming.³ Under relevant Commission precedents, technical work-arounds to address the lack of access to in-state programming are not dispositive of whether a station's local market should be modified.⁴ Nor does the distribution of some local WBKO programming to consumers

² *Petition of Electric Plant Board of the City of Russellville, North Central Telephone Cooperative and Cumberland Cellular, Inc. d/b/a Duo County Telecom*, MB Docket No. 17-225, Opposition of Scripps Media, Inc. to Petition for Special Relief (filed Sept. 20, 2017) ("WTVF Opposition").

³ It is true that Petitioners have purchased expensive equipment that permits switching over to WBKO's local programming at certain, pre-scheduled times, and have employed this solution since January 1, 2015. A sample schedule showing when WBKO programming airs on RPB's system is attached as Exhibit 4.

⁴ As such, discussion of this temporary arrangement to provide limited local WBKO programming to the Communities was noted in the Exhibits, but not otherwise addressed in the Petition.

in the Communities trump the strong evidentiary showing presented in the Petition demonstrating that WBKO meets all statutory criteria for status as a local station in the Communities or rebut evidence demonstrating the important economic connection between the Communities and Bowling Green.⁵

Furthermore, WTVF's contention that grant of the Petition "would upset the economic expectations of the marketplace and unnecessarily disrupt viewer expectations without producing any gain" is misdirected.⁶ The marketplace was upset and viewer expectations disrupted in 2014 when the ABC Network no longer permitted WBKO to exercise its statutory right to grant retransmission consent for carriage of its full station signal in the Communities. Ironically, beyond claims of some duplicate syndicated programming between WTVF and WBKO, problems which can be rectified through the Commission's syndicated exclusivity rules, what is missing from the WTVF Opposition is any indication why the station is even challenging the Petition on the merits. WTVF's primary stream is affiliated with the CBS Network, while WBKO's primary stream is affiliated with the ABC Network.⁷ The market modification procedures and the factors are primarily focused on the residents of the communities and their needs, not the corporate interests of the stations involved.⁸

⁵ It is worth noting that the WTVF Opposition is heavily focused on the communities of Russellville, Scottsville and Burkesville, which are all within the Nashville DMA (the "Nashville DMA Communities"). Only once, in its discussion of the third statutory factor, access to in-state programming, does WTVF mention Columbia, Jamestown and Russell Springs, the communities served by Duo County within the Lexington and Louisville DMAs. WTVF Opposition at 13-17.

⁶ *Id.* at 15.

⁷ WBKO's and WTVF's multicast streams are also not affiliated with the same networks.

⁸ No Oppositions were filed on behalf of the ABC-affiliated stations in the Nashville, Lexington or Louisville DMAs.

As the Petition outlines, the Communities and the counties they reside within are indisputably a natural part of the Bowling Green market, and Petitioners have fully met all statutory criteria for status as a local station in the Communities. Although some portions of the Communities reside in “orphan counties” because they are assigned to the Nashville DMA (Russellville, Scottsville and Burkesville) (the “Nashville DMA Communities”), those communities assigned to the Louisville and Lexington DMAs (Columbia, Jamestown and Russell Springs) (the “non-Nashville DMA Communities”) are no less entitled to modification into the WBKO local market. All of the Communities for which relief is requested in the Petition have met the statutory criteria, and the Commission should expeditiously grant the Petition to allow residents of the Communities full access to the station’s in-state local programming.

II. WTVF’S CLAIMS AGAINST CARRIAGE OF LOCAL AND IN-STATE PROGRAMMING ARE INCORRECT AND WITHOUT MERIT

WTVF spends significant time arguing that the Petition “misleadingly” omits that WBKO local programming is carried on Petitioners’ systems serving the Communities on a part-time basis and, therefore, that modification of WBKO’s market to provide access to in-state programming – the third statutory factor – is not necessary.⁹ Although WTVF concedes that the Petition satisfies the evidentiary standard, and therefore meets the statutory factor, WTVF claims that Petitioners are not entitled to any enhancement based on the facts and circumstances of the Petition.¹⁰ WTVF’s claims are baseless and legally and factually incorrect.

⁹ WTVF Opposition at 6-8.

¹⁰ In particular, WTVF makes three principal arguments. First, WTVF argues that the Nashville DMA counties are not “orphaned” since there exist Kentucky stations that can be received over-the-air. Second, WTVF claims that the current carriage by Petitioners of WBKO’s local programming disqualifies Petitioners from enhancement under this factor, and that granting the

First, as a matter of law, whether Petitioners currently carry some WBKO programming is irrelevant.¹¹ The Commission has previously determined that an operator’s ability to achieve a burdensome and limited work-around so that it may provide some local programming does not weigh against modification under the in-state access factor.¹² In the Commission’s decision in *La Plata*, the stations were willing, prior to the commencement of the proceeding, to negotiate with the satellite programmer for “targeted” carriage of locally-produced news and public affairs programming “to the extent that this programming is not duplicated by [the in-DMA] broadcaster.”¹³ However, the Commission noted that, “as evidenced by passage of the STELAR, Congress [saw] a significant justification for FCC intervention in precisely this type of scenario. The availability of ‘targeted carriage’ does not, in fact achieve the ‘goals of the Petitions,’ or of Congress.”¹⁴

In addition, when implementing the new in-state station access factor, the Commission established a low evidentiary threshold for satisfying this new statutory factor in-line with

Petition would “upset the economic expectations of the marketplace and unnecessarily disrupt viewer expectations without producing any gain.” Finally, WTVF argues that the third factor is not applicable the communities in Adair and Russell County since these communities already receive multiple in-state stations. Therefore, to WTVF, the Petition with respect to the communities in Adair and Russell counties must only be evaluated based on the other four statutory factors because the in-state factor is designed to apply to “orphan counties” and none of the Communities reside in orphan counties. *Id.* at 13-16.

¹¹ Each Petitioner employs equipment that, when pre-programmed, automatically switches a channel to WBKO’s local programming at pre-set times. As described more fully below, this approach has severe limitations.

¹² See *La Plata County, Colorado Petitions for Modification of the Satellite Television Markets of KDVR-TV, KCNC-TV, KMGH-TV, and KUSA-TV, Denver, Colorado*, Memorandum Opinion & Order, 32 FCC Rcd 1474, ¶ 20 (2017) (“La Plata County Market Mod”).

¹³ *Id.*, ¶ 20, n.65.

¹⁴ *Id.*

Congress’s intent to increase consumers’ access to in-state programming.¹⁵ Petitioners for market modification simply need to demonstrate that granting the requested modification introduces an in-state station into the community. In setting this evidentiary standard, the Commission rejected arguments from commenters that the factor should require a showing that the DMA at issue lacks any (or an adequate number of) in-state stations.¹⁶ Under the Commission’s interpretation, the statutory factor applies broadly in any situation where the introduction of an in-state station promotes consumers’ access to in-state programming, regardless of whether other in-state stations are present in the community.¹⁷ Petitioners consequently are “afforded credit for satisfying this factor simply by showing that the involved station is licensed to a community within the same state as the new community,” under relevant Commission precedent.¹⁸ Especially in the context of orphan counties – counties associated with

¹⁵ *Amendment to the Commission’s Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act*, Report and Order, 30 FCC Rcd 10406, ¶ 18 (2015) (“STELAR Market Mod Order”) (“[A] petitioner will be afforded credit for satisfying this factor simply by showing that the involved station is licensed to a community within the same state as the new community.”).

¹⁶ *Id.* (“We disagree with those commenters that sought a requirement for more substantial showings, such as the lack of in-state stations in the new community, in order to get credit for satisfying this factor. We find that such additional showings are not necessary to satisfy this factor.”). In doing so, the Commission agreed with the National Association of Broadcasters that the statutory language applied “to any situation that would increase access to in-state stations, regardless of whether there are other in-state stations present in the new community.” *Id.* See also *Amendment of the Commission’s Rules Concerning Market Modification; Implementation of Section 102 of the STELA Reauthorization Act of 2014*, MB Docket No. 15-71, Comments of the National Association of Broadcasters at 5 (filed May 13, 2015) (“[The] statute does not suggest that the Commission should take into account only those in-state market modification requests that would help to remedy a complete absence—or some minimum number—of in-state broadcast stations. Rather, the Commission is to weigh whether modifying a station’s market “would promote consumers’ access to television broadcast signals that originate in their state of residence.”).

¹⁷ STELAR Market Mod Order, ¶ 18 (emphasis added).

¹⁸ *Id.*

out-of-state DMAs, which the Nashville DMA Communities undoubtedly are – the Commission gives considerable weight to the in-state and local programming factors¹⁹ and assesses the remaining factors (historical carriage, geographic proximity, and viewing patterns) as enhancements.²⁰

Furthermore, the Commission, citing legislative intent, acknowledges in-state programming as a type of “local” service linking communities to a particular station through geographic and market nexus.²¹ The Commission has consistently held that this factor is “satisfied by introduction of an in-state station to a community, but weighs more heavily in favor of modification if the petitioner shows that the involved station provides programming specifically related to subscribers’ state of residence, and may be given even more weight if subscribers in the new community have little (or no) access to such in-state programming.”²² In-

¹⁹ In orphan county cases, the Commission often reviews these two factors together, assessing in-state programming as a type of “local” programming. *See* La Plata County Market Mod, ¶ 26; *Gray Television Licensee, LLC for Modification of the Satellite Television Market for WSAW-TV, Wausau, Wisconsin*, Memorandum Opinion & Order, 32 FCC Rcd 668, ¶ 30 (2017) (“Gray WSAW Market Mod”) (finding that Congress intended “local” programming under the statutory factor, particularly in the case of orphan counties, to be interpreted to include all programming “originating from and about” their state).

²⁰ *See Id.*, ¶ 27; La Plata County Market Mod, ¶ 22 (“[I]n orphan counties we will give substantial weight to the in-state programming a petitioner proposes to bring to the orphan county when determining whether a nexus to a new community has been demonstrated, and will consider the other factors, when they apply, as enhancements to a petitioner’s case.”).

²¹ La Plata County Market Mod, ¶ 22, *citing* Report from the Senate Committee on Commerce, Science, and Transportation accompanying S. 2799, 113th Cong., S. Rep. No. 113-322, at 15 (2014) (“The Committee intends that the FCC’s new report will interpret local programming to include not only television programming (in particular news, sports, weather, and other programming containing content relevant to a consumer’s daily life) originating from and about the DMA in which a consumer resides, but also television programming originating from and about the State in which a consumer resides.”).

²² *Id.* *See also* STELAR Market Mod Order, ¶ 18 (“[A] petitioner will be afforded credit for satisfying this factor by showing that the involved station is licensed to a community within the same state as the new community.”); Gray WSAW Market Mod, ¶ 31 (finding that market

state programming is considered to be a type of “local” service, demonstrated through evidence that the in-state station seeks to provide the community with access to news, politics, sports, emergency and other state-relevant programming.²³ Nowhere in the statute or Commission precedent, as evidenced by the Commission’s reasoning in *La Plata*, does a showing of anything less than the full range of in-state programming, which can only be fully realized by the introduction of the entirety of the in-state station’s signal into the communities at issue, satisfy the third factor for access to in-state programming. The need for in-state and localized news bulletins and severe weather coverage does not end once the network primetime or other network programming starts and Petitioners are required to switch to non-WBKO programming. In this case, the Commission should (i) find that the statutory factor has been met for the Communities, whether they are orphaned within the Nashville DMA (Russellville, Scottsville and Burkesville) or have some access to in-state stations today (Columbia, Jamestown and Russell Springs) and (ii) give considerable weight to the statutory factor with respect to the orphaned Nashville DMA Communities.

Nevertheless, even assuming *arguendo* that introduction of WBKO into the Communities, most especially Columbia, Jamestown and Russell Springs, would not increase consumers’ access to in-state programming, it would not be a bar to market modification in this case.²⁴ The evidence provided by Petitioners that satisfies the remaining four statutory factors

modification would promote access to an in-state TV broadcasting signal and enhance viewers’ access to in-state local programming).

²³ *La Plata County Market Mod*, ¶ 22.

²⁴ Although Congress did primarily intend for this factor to apply in situations of orphan counties, the Commission has held that in cases where granting the modification request “would not result in increased consumer access to an in-state station’s programming” the in-state factor would be inapplicable and the modification request evaluated based on the remaining four statutory factors. *STELAR Market Mod Order*, ¶ 19 (“the new in-state factor is not intended to

alone is more than sufficient grounds for the Commission to grant modification. WTVF's attempt to muddy the waters by pointing out that the Communities could receive other in-state stations over-the-air (i.e., by not subscribing to subscription television service) or that the non-Nashville DMA Communities receive in-state signals from Lexington and Louisville should be rejected as irrelevant to satisfaction of the third statutory factor. Again, the primary focus in a market modification should be on the residents of the Communities. To force them to decide between subscription service or foregoing subscription service in order to receive local off-air channels through an antenna is simply ignoring their interests completely.

Second, as a matter of fact, WTVF's Opposition mischaracterizes the manner in which select, prescheduled WBKO local programming is currently carried on Petitioners' systems in the Communities in support of their claim that Petitioners are entitled no enhancement for this factor. Due to the demand within the Communities for WBKO's local programming, Petitioners have devised a limited and burdensome work-around whereby Petitioners carry network and syndicated programming from the in-DMA ABC-affiliated station (either Nashville, Lexington or Louisville, depending on the affected community) for the majority of each day, including primetime evening viewing, while automatically switching to prescheduled WBKO local programming.²⁵ In support of this Reply, attached are Declarations from each Petitioner detailing the significant procedural and programming limitations this work-around imposes on the systems' ability to access WBKO local programming and deliver it to residents of the

bar a market modification" in the event modification would not result in increased consumer access to in-state programming).

²⁵ Petitioners also carry the full suite of local and non-local programming from the in-DMA stations on their own dedicated channels.

Communities.²⁶ These limitations deprive citizens in the Communities from receiving highly-valued, important local and in-state breaking news, emergency and weather alerts and local advertising, which lie at the heart of Congress’s decision to add the access to in-state programming factor to the market modification test.²⁷

Petitioners have installed equipment – at considerable cost – at each system’s principal headend that will automatically switch to local programming on WBKO at specific, prescheduled times of the day.²⁸ Mr. Vowell, RBP’s General Manager, states that RPB carries about 50 hours of select, prescheduled WBKO local programming per week through its automatic switch system.²⁹ However, Mr. Vowell notes that any programming outside of those automatic swap times, such as breaking news and live station coverage of weather alerts, requires the switch to WBKO to be made manually at the headend.³⁰ The time it takes to manually make

²⁶ See Declaration of Dale Vowell, General Manager, Russellville Electric Plant Board (Attached as Exhibit 1) (“Vowell Declaration”); Declaration of Johnny McClanahan, Vice President of Finance and Administrative Services, North Central Telephone Cooperative, Inc. (Attached as Exhibit 2) (“McClanahan Declaration”); Declaration of Daryl Hammond, Vice President and Chief Financial Officer, Duo County Telephone Cooperative (Attached as Exhibit 3) (“Hammond Declaration”).

²⁷ Public safety considerations alone therefore warrant giving increased weight to this factor. STELAR Market Mod Order, ¶ 18 (“[W]e find that such additional showings can increase the weight afforded to this factor. For example, this factor may be found to weigh more heavily in favor of modification if the petitioner shows the involved station provides programming specifically related to subscribers’ state of residence, and may be given even more weight if such subscribers in the new community had little (or no) access to such in-state programming.”).

²⁸ Vowell Declaration, ¶ 2; McClanahan Declaration, ¶ 4; Hammond Declaration, ¶¶ 3-4.

²⁹ Vowell Declaration, ¶ 4.

³⁰ *Id.*, ¶ 5. Although the Communities should receive national weather service alerts as they arise through the use of Petitioners’ EAS equipment, broadcasters have long argued that live station coverage provides much more needed live information, so much so that the Commission should mandate selective overrides of EAS alerts to permit viewers to continue to watch their selected station’s live news coverage. *Review of the Emergency Alert System*, EB Docket No. 04-296, Comments of the National Association of Broadcasters at 9 (filed Aug. 14, 2014) (“Such [mandatory] overrides disrupt viewers’ access to the critical, often life-saving emergency

the switch depends upon whether the headend is manned or not, but the process takes anywhere from 15 minutes, if the headend is manned, to an hour, if it is not.³¹ Due to the time it takes to manually switch to WBKO's stream, any unscheduled local programming, including time-sensitive local information such as breaking news and weather alerts, as well as programs of local interest that are not prescheduled, is missed.³² Additionally, when network programming runs over the typical allotted time (for example, a college football game), the switch to WBKO is automatically made at the prescheduled time, often leading to widespread customer confusion and dissatisfaction.³³

Mr. Hammond, Vice President and Chief Financial Officer of Duo County, describes how the switching process similarly impedes Duo County's subscribers from also receiving

information provided by local television stations...."). Denial of the Petition, as WTVF advocates, would force consumers in the Communities to continue to miss live local station coverage of important breaking news and weather events. WTVF fails to explain why the "often live-saving emergency information" is suddenly not important when it is broadcast by WBKO, but not delivered to the Communities, because it is primetime hours and the systems have been forced to switch to the in-DMA ABC station.

³¹ Any manual switch occurring outside of working hours requires a technician to come in and manually engineer the swap, which can take about an hour. Vowell Declaration, ¶ 7. *See also* Hammond Declaration, ¶ 6 (manual overrides to the automatic swap schedule are time consuming, and once the technician arrives at the headend, it can take 30 minutes to make and verify the swap).

³² *See* Vowell Declaration, ¶ 9 ("Regardless of the time of day the unscheduled swap occurs, because of the time it takes to make the swap, truly local breaking news and events, such as school shootings, accidents, and more, are missed."); Hammond Declaration, ¶ 5 ("Any time a program runs over its allotted time, it throws the programming off and the swap, because it is set by time rather than program duration, no longer aligns with the programming. To correct it, we would have to bring someone in to manually manipulate the schedule."). As an example, coverage of the recent solar eclipse occurred outside of prescheduled swap times, and so Duo County and North Central missed WBKO's local coverage of this historic event. McClanahan Declaration, ¶ 6; Hammond Declaration, ¶ 9.

³³ Vowell Declaration, ¶ 11.

important local and in-state programming.³⁴ Each week, Duo County technicians review WBKO's planned programming and program the times that its equipment switches to retransmit WBKO. While it takes about 30 minutes to re-program the equipment manually, during non-business hours when the headend is not staffed, the process takes much longer as a technician must be contacted and travel to the headend before beginning the switching process. And although Columbia, Jamestown and Russell Springs receive in-state programming from Louisville and Lexington stations, most breaking weather events come from the west, reaching Bowling Green first. In these situations, the Louisville and Lexington stations are too far removed, and do not devote nearly the same focus to potentially life altering situations on a local basis, as WBKO does.

Moreover, North Central faces an additional burden when it wants to air breaking local and in-state programming from WBKO. North Central obtains WBKO's signal from a headend that it does not operate. Instead, North Central shares a headend with another operator, SCTC, who operates the headend. According to Mr. McClanahan, North Central's Vice President of Finance and Administrative Services, manually switching to WBKO requires coordination with WBKO and SCTC.³⁵ When local weather or emergencies arise, North Central must contact WBKO and hope that WBKO will authorize SCTC to make the switch at the headend. This laborious process practically ensures that consumers in the communities served by North Central do not receive potentially life-threatening breaking news and emergency alerts.

These Declarations highlight the fact that the current automatic switching process makes it impossible to catch *all* local, in-state programming that Congress was concerned consumers

³⁴ Hammond Declaration, ¶¶ 4-9.

³⁵ McClanahan Declaration, ¶ 5.

should receive. Pursuant to the statute, the Commission engages in market modification to “promote consumer access to in-state and other relevant programming,” which includes political, public affairs, weather and emergency information.³⁶ This is precisely the kind of local, in-state programming that consumers in Petitioners’ Communities do not currently receive. Coverage should not end at the beginning of primetime when families are most likely to be consuming television programming together. Furthermore, consumers miss in-state and local advertising outside of the prescheduled swap times. The Commission is mindful of consumers’ demand for in-state advertising as a means of supporting their local economy when considering the benefits of access to in-state programming³⁷ and will consider “additional evidence showing the relevance of the in-state programming (including advertising) to the new community” when evaluating the strength of the in-state factor.³⁸ Customers are clearly unsatisfied with the switching process and demand WBKO’s in-state programming *beyond* the scope of the current swapping set-up.³⁹

³⁶ STELAR Market Mod Order, ¶ 7. The Commission has observed that cases of orphan counties may weaken localism, “since viewers are often more likely to receive information of local interest and relevance – particularly local weather and other emergency information and local news and electoral and public affairs – from a station located in the state in which they live.” *Id.*, citing *Broadcast Localism*, MB Docket No. 04-233, Report on Broadcast Localism and Notice of Proposed Rulemaking, 23 FCC Rcd 1324, ¶¶ 49-50 (2008).

³⁷ See STELAR Market Mod Order, ¶ 14 & n.59, citing *In-State Broadcast Programming: Report to Congress Pursuant to Section 304 of the Satellite Television Extension and Localism Act of 2010*, Report, 26 FCC Rcd 11919, ¶ 18 (2011) (“[S]ome consumers indicate that they would prefer television advertising that supports their state economies rather than the out-of-state advertisements that air on the in-market stations they receive. Commenters opine that their inability to access in-state advertising has a continuing negative impact on their communities through the loss of revenue.”).

³⁸ *Id.*, ¶ 20, n.96 (emphasis added).

³⁹ Mr. McClanahan notes in his Declaration that North County receives complaints from customers about the programming switching from WBKO to the Nashville ABC affiliate feed. McClanahan Declaration, ¶ 7.

Commission precedent clearly supports modification in this case. The Commission has granted market modification where a station was similarly restricted from granting out-of-market retransmission consent pursuant to an ABC network affiliation agreement and sought to modify its market so that communities that had received the station's signal until ABC rescinded its permission for carriage could continue to view it via their local cable provider.⁴⁰ In light of the Petitioner having satisfied each of the (then) four statutory factors, the Commission granted the station's petition for market modification, ensuring consumers would continue to receive to view the station despite ABC's interference with the station's exercise of its right of retransmission consent.⁴¹ Importantly, the Commission found that the loss of the station's signal in the affected counties could potentially be economically harmful to both broadcasters and cable providers in the impacted area,⁴² and that since the impacted communities were located on the fringe of the DMA, introduction of an out-of-market network affiliate would not severely impact the economic balance in the market.⁴³ Similarly, modifying WBKO's local market here to include the Communities will ensure that subscribers receive the *entirety* of WBKO's in-state

⁴⁰ *In the Matter of Commonwealth Broadcasting Group, Inc. for Modification of the Greenwood/Greenville, Mississippi DMA*, Memorandum Opinion & Order, 25 FCC Rcd 213, ¶ 14 (2010) ("Commonwealth Market Mod").

⁴¹ *Id.*, ¶¶ 20-21 ("WABG-TV has stated that, absent must carry status, its carriage would be jeopardized in the subject communities due to the ABC Network's ruling that WABG-TV can no longer seek carriage via retransmission consent as it has done in the past.").

⁴² *Id.*, ¶ 21. Cable One, an MVPD that had retransmitted WABG-TV in the affected communities and filed in support of its petition, argued that loss of WABG-TV's signal could potentially be economically harmful if it loses subscribers to other providers. WABG-TV also maintained that failure to grant the relief sought in the petition would disrupt the healthy competition between itself and WPTY-TV, a competing ABC station that has also enjoyed long carriage in the communities. *Id.*

⁴³ *Id.*

programming, including news bulletins, breaking emergency information, live severe weather coverage and other television programming relevant to their home state of Kentucky.

III. CONTRARY TO WTVF’S CLAIMS, PETITIONERS HAVE MORE THAN SATISFIED THE FOUR REMAINING STATUTORY FACTORS

As detailed above and in the Petition, modification of WBKO’s market to include the Communities will substantially increase subscribers’ access to programming related to their State of residence. Moreover, in the case of the orphaned Nashville DMA Communities, the Commission should give the third statutory factor – access to in-state stations – substantial weight.

In addition to its general objections concerning the Communities and access to in-state programming, WTVF also argues that the Nashville DMA Communities should not receive enhanced treatment for the first, second, fourth and five statutory factors. WTVF does not object to the Petition’s evidentiary showings on the first, second, fourth and five statutory factors concerning the non-Nashville DMA Communities. As no other filings were received regarding modification of WBKO to include the non-Nashville DMA Communities, the evidence presented in the Petition satisfying these statutory factors is unopposed. Accordingly, the Commission should grant the proposed modification so that WBKO’s local market includes the non-Nashville DMA Communities.

With respect to the Nashville DMA Communities, since it is undisputed that they are “orphan” counties, the Commission gives “substantial weight to the in-state programming a petitioner proposes to bring to the orphan county when determining whether a nexus to a new community has been demonstrated, and will consider the other factors, when they apply, as

enhancements to a petitioner's case.”⁴⁴ Contrary to WTVF’s claims, the Nashville DMA Communities should receive enhanced treatment for the first, second and fifth factors. On the fourth statutory factor, the Commission should assign no weight to WTVF’s rebuttal. In short, Petitioners have more than satisfied the remaining statutory factors and the Commission should grant the Petition.

A. WTVF’s Opposition Fails to Rebut the Petition’s Showing that WBKO Has Been Historically Carried in the Nashville DMA Communities.

WTVF does not dispute the fact that the Petition puts forth evidence showing that WBKO has been historically carried in the Communities. Instead, WTVF argues that the Petition is entitled to no enhancement for this factor because there is no new in-state or local community-focused programming that would be provided as a result of grant of the Petition and because, at least with respect to the Nashville DMA Communities, WTVF has also been carried for decades.⁴⁵

WTVF’s attempt to rebut the evidence proving that the Petition satisfies the first statutory factor is both factually and legally incorrect. As described in the Petition, WBKO has been carried for decades in the Communities, and Petitioners meet the evidentiary requirement to satisfy this factor with exhibits showing Commission records and historic channel lineups as

⁴⁴ See Gray WSAW Market Mod, ¶ 27; La Plata County Market Mod, ¶ 22 (“[I]n orphan counties we will give substantial weight to the in-state programming a petitioner proposes to bring to the orphan county when determining whether a nexus to a new community has been demonstrated, and will consider the other factors, when they apply, as enhancements to a petitioner’s case.”).

⁴⁵ WTVF Opposition at 9-10.

proof of carriage.⁴⁶ Moreover, the first statutory factor considers historical carriage, and under Section 614(h), the Commission must take into account “whether *the station, or other stations located in the same area*, have been historically carried on the cable system or systems within such community....”⁴⁷ Carriage of WTVF, a Nashville station, in no way offsets Petitioners’ evidentiary showing that WBKO has been historically carried in the Communities. Petitioners satisfy the first statutory factor, and WTVF’s claims that the Commission should not heavily weigh this factor should be rejected. Decades of WBKO cable carriage in the Nashville DMA Communities make clear that stations assigned to the Bowling Green DMA are of local interest to viewers in Russellville, Scottsville and Burkesville. This level of historic carriage weighs heavily in favor of a grant of the Petition.

B. WTVF’s Opposition Fails to Disprove that WBKO Provides Coverage and Other Local Service to the Nashville DMA Communities.

In discussing the second statutory factor – whether WBKO provides coverage or other local service to the Communities – WTVF concedes that WBKO’s service contour covers the Nashville DMA Communities, that the Nashville DMA Communities are geographically closer to Bowling Green than Nashville, and that an economic nexus exists between Bowling Green and the Nashville DMA Communities. Nonetheless, WTVF argues that although “WBKO may satisfy the coverage and local service factor, in weighing this factor the Commission should also

⁴⁶ See Petition at 9-10; Exhibits 4-9 (attached to the Petition). Petitions for market modification must include “cable system or satellite carrier channel line-up cards or other exhibits establishing historic carriage, such as television guide listings.” 47 C.F.R. § 76.59(b)(5).

⁴⁷ 47 U.S.C. § 534(h)(1)(C)(ii)(I) (emphasis added).

consider the ample coverage and local service offered by WTVF.”⁴⁸ The Commission should reject WTVF’s arguments when considering how to weigh the second statutory factor.

In support of its assertion, WTVF notes that its transmitter site is located more closely to the Communities than its city of license, that it has numerous advertisers located in Kentucky or northern Tennessee, and that WTVF itself has aired a large number of stories relating to Kentucky over the past year.⁴⁹ These facts do not rebut the showings made by Petitioners that WBKO provides coverage and other local services to the Communities.⁵⁰ The Petition demonstrated that WBKO’s service contour covers the Nashville DMA Communities, and that there are no intervening geographic barriers that would impede residents in the communities from receiving a strong over-the-air signal as well.⁵¹ The Petition also demonstrates that WBKO provides locally-focused programming that is of significant interest to the residents in the Nashville DMA Communities.⁵² This evidence alone warrants that the Commission find that the Petition has met the second statutory factor, as it has previously done so in similar instances, and weigh it in favor of a grant of the Petition.⁵³

⁴⁸ WTVF Opposition at 12.

⁴⁹ *Id.* at 11-12.

⁵⁰ In accordance with Commission precedent, the second statutory factor incorporates both technical service and programming service, and includes "whether the station places at least a Grade B contour over the cable communities, the station's proximity to the communities in terms of mileage, and whether it broadcasts local programming with a distinct nexus to the Communities." *Mountain Broadcasting Corporation; For Modification of the Television Market for WMBC-TV, Newton, New Jersey*, Memorandum Opinion and Order, 27 FCC Rcd 2231, ¶ 12 (2012).

⁵¹ Petition at 10-12.

⁵² Gray WSAW Market Mod, ¶ 30 (“We find that WSAW carries local programming of interest to the communities, demonstrating a local connection.”).

⁵³ Commonwealth Market Mod, ¶ 20 (“Second, WABG-TV has demonstrated that its digital signal coverage contour covers all of the communities at issue. Given the strength of WABG-

C. WTVF's Purported Coverage of News, Issues and Events of Interest to the Nashville DMA Communities Should be Given No Weight.

WTVF claims that Petitioners are entitled to no enhancement under the fourth statutory factor – whether other stations entitled to carriage provide programming of local interest – because WTVF routinely airs weather and emergency information, school closing information, and traffic and EAS alerts targeted to the Nashville DMA Communities and nearby areas.⁵⁴ Once again, WTVF's arguments miss the mark. Petitioners do not dispute that WTVF and other in-DMA stations provide some local coverage.⁵⁵ Rather, Petitioners argue that this local coverage does not diminish the fact that WBKO overwhelmingly provides more local coverage to the Nashville DMA Communities.

The Commission has repeatedly held that this statutory factor “was intended to enhance a station's claim where it could be shown that other stations do not serve the communities at issue” and “is relevant only in proceedings where the station seeking modification does not provide any local service.”⁵⁶ Therefore, as the Petition explained, even if WTVF provides programming of interest to the Communities, it does not defeat the fact that WBKO likewise provides locally-focused programming that is of significant interest to residents in the Communities. Indeed, the Commission has recently observed that “other stations' service to the communities rarely has

TV's signal and the fact that there are no intervening geographic barriers between WABG-TV's transmitter and the communities, it is likely that the communities also receive a strong over-the-air signal as well. WABG-TV has also demonstrated that it provides locally-focused programming that is of significant interest to the residents in the communities. Indeed, this is supported both by letters from local organizations in the communities, but also by Cable One's unqualified support for the continued availability of WABG-TV's programming to the communities at issue.”).

⁵⁴ WTVF Opposition at 18.

⁵⁵ Petition at 16-17.

⁵⁶ See, e.g., Commonwealth Market Mod, ¶ 17.

counted against a petition”⁵⁷ and it should not do so here. As such, the Commission should, at the very least, give neutral weight to this statutory factor.

D. WTVF’s Opposition Fails to Disprove that WBKO Has Viewership in the Nashville DMA Communities.

WTVF claims that the Petition is entitled to no enhancement under the fifth statutory factor – evidence of viewing patterns in the areas served by the cable systems – because the conclusions are based on outdated 2014 Nielsen data.⁵⁸ In support, WTVF includes a report showing viewing data for WBKO, WTVF, and Nashville ABC affiliate WKRN-TV over the three most recent sweeps periods.⁵⁹ This data purports to show that WTVF’s ratings in the counties containing the Nashville DMA Communities surpasses WBKO’s ratings and that WKRN also obtains more viewers than WBKO.⁶⁰

What WTVF fails to mention is that until July 2017, WBKO’s signal was not watermarked and could not be measured by set-top boxes.⁶¹ WBKO station staff have informed Petitioners, and will be supplementing the record with such information, that in the Nashville DMA, Nielsen gathers ratings primarily through set-top boxes, which read the watermark in a station’s signal and automatically send that data to Nielsen.⁶² Conversely, stations without a

⁵⁷ *Woods Communications Corporation; For Modification of the Television Market for WCOV-TV, Montgomery, Alabama*, Memorandum Opinion & Order, MB Docket No. 17-102, CSR 8934-A, ¶ 10 (rel. Aug. 16, 2017).

⁵⁸ WTVF Opposition at 19.

⁵⁹ *Id.* and Exhibit 10.

⁶⁰ *Id.* at 19.

⁶¹ See, e.g., Ben Drawbaugh, *Nielsen to use watermarks to enhance local channel rating accuracy*, ENGADGET, Jul. 22, 2012, available at <https://www.engadget.com/2012/07/22/nelsen-to-use-watermarks-to-enhance-local-channel-rating-accura/>.

⁶² Petitioners also spoke to Gray Television, WBKO’s owner, on this issue and were informed that Gray Television will be submitting a reply on behalf of WBKO on this issue.

Nielsen watermark in its signal are not read and are not recorded as viewed by Nielsen. Until July 2017, according to WBKO staff, this included WTVF. Therefore, not only would WTVF's signal not be reported, but when a set-top box electronically read the substituted WKRN-Nashville ABC programming, the data likely would show that the consumer was watching WKRN, not WBKO, even if the consumer had tuned into the channel to view WBKO's local programming.

At the very least, the Commission should ignore this data. Commission precedent indicates that in cases concerning orphan counties, like the Nashville DMA Communities, assessment of the fourth statutory factor (viewing patterns) is considered an enhancement, and absent evidence with respect to viewing patterns, the Commission will give the factor no weight in its consideration of the Petition.⁶³ Nonetheless, despite these challenges and WTVF's objection, Petitioners did, in fact, submit evidence demonstrating that WBKO has a measurable audience in the Nashville DMA Communities and that WBKO airs the most viewed local news programming. WTVF has submitted no evidence to dispute either WBKO's measurable audience or the fact that more consumers in the Nashville DMA Communities watch WBKO's local newscasts than any other station. Accordingly, the Commission should weigh this factor in favor of a grant of the Petition.⁶⁴

⁶³ La Plata County Market Mod, ¶ 31.

⁶⁴ *See, e.g.*, Commonwealth Market Mod, ¶ 20 (finding that Nielsen data demonstrated that WABG achieved viewership in the communities at issue and weighing it in favor of modification dispute in-DMA stations disputing the data).

IV. CONCLUSION

Based on the evidence presented in the Petition and this Reply to Opposition, Petitioners have met all statutory criteria for the Commission to find that WBKO is local to the Communities, and additional factors weigh further in favor of including the Communities in WBKO's market. The Commission should grant the Petition.

The signatory has read the Reply to Opposition and, to the best of his knowledge, information and belief formed after reasonable inquiry, it is well grounded in fact and is warranted by existing law, and is not interposed for any improper purpose.

Respectfully submitted,

By:



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Elizabeth Cuttner
Cinnamon Mueller
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Chicago, IL 60601
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Attorneys for
The Electric Plant Board of the City of
Russellville
Cumberland Cellular, Inc., d/b/a Duo
County Telecom
North Central Telephone Cooperative, Inc.

CERTIFICATE OF SERVICE

I, Rachel Kimura, paralegal with Cinnamon Mueller, hereby certify that a true and correct copy of the foregoing Reply to Opposition Relief was delivered by me to the United States Postal Service on October 4, 2017 to be delivered to the person listed below via first-class mail, postage-prepaid:

Martha Heller*
Chief, Policy Division, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554
Martha.Heller@fcc.gov

WTVF
474 James Robertson Parkway
Nashville, TN 37219

Scripps Broadcasting Holdings LLC
C/O Scripps Media Inc.
312 Walnut St., 28th Floor
Cincinnati, OH 45202

BROOKS, PIERCE, MCLENDON,
HUMPHREY & LEONARD, L.L.P.
150 Fayetteville Street, Suite 1700
Raleigh, North Carolina 27601
Attn: David Kushner, Charles Marshall, and
Elizabeth Spainhour



Rachel Kimura

Paralegal

*via email only

EXHIBIT 1

Vowell Declaration

EXHIBIT 1

DECLARATION OF DALE VOWELL

I, Dale Vowell, hereby declare, under penalty of perjury, as follows:

1. I am the General Manager for Russellville Electric Power Board. I have worked for the company for one year. My current responsibilities include managing all operations and personnel.
2. After WBKO informed us in 2014 that the ABC Network no longer would permit the station to grant retransmission consent for its full signal, we purchased almost \$10,000 worth of equipment to install in our headend so that we could continue to carry select WBKO local programming.
3. When programmed, this equipment will automatically swap to WBKO programming at times WKRN-TV, the ABC affiliate in Nashville, Tennessee, will allow them to swap.
4. Currently, we carry about 50 hours of select, pre-scheduled local programming from WBKO per week.
5. The swap automatic occurs at specified times of the day, but any programming outside of those pre-set times, such as storms and unscheduled programming, requires a manual swap.
6. Depending upon whether the unscheduled swap occurs during working hours or after working hours, it can take a substantial amount of time to manually switch to WBKO.
7. Because the headend is only manned during working hours, unscheduled swaps require an employee to come in. By the time an employee arrives and manually engineers the swap, it takes about an hour.
8. During working hours, when an employee is already on site, it takes about 15 minutes to swap.
9. Regardless of when the unscheduled swap occurs, because of the time it takes to make the swap, truly local breaking news and events, such as school shootings, accidents, and more, are missed.
10. I have monitored and recorded both the major Nashville stations and WBKO during severe weather events, and the major Nashville stations do not cover severe weather events on a local level as WBKO does.
11. When we are unable to make the switch to WBKO during a severe weather event or breaking local news, or when a program runs over its allotted time, we often receive complaints from our subscribers.

I have read this Declaration and the Reply to Opposition to which it is attached. I certify that to the best of my knowledge, information and belief formed after reasonable inquiry, both submissions are well ground in fact, and are not interposed for any improper purpose.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Dale Vowell", written over a horizontal line.

Dale Vowell

General Manager

Russellville Electric Plant Board

October 4, 2017

EXHIBIT 2

McClanahan Declaration

EXHIBIT 2

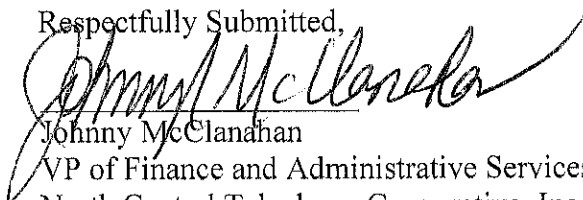
DECLARATION OF JOHNNY McCLANAHAN

I, Johnny McClanahan, hereby declare, under penalty of perjury, as follows:

1. I am the Vice President of Finance and Administrative Services for North Central Telephone Cooperative, Inc. I have worked for the company for over 28 years. My current responsibilities include overall responsibility for the financial results of the cooperative. I supervise the financial and accounting departments, marketing department, regulatory and settlements as well as administrative aspects for the cooperative.
2. After WBKO informed us in 2014 that the ABC Network no longer would permit the station to grant retransmission consent for its full signal, we arranged for equipment to be installed in the headend we share with another small cable operator so that we could continue to carry select WBKO local programming.
3. We do not operate the headend; rather, the operator that we share the headend with, South Central Rural Telephone ("SCTC") operates the headend.
4. At automated times during the day, set by timer, SCTC is able to swap to pre-scheduled WBKO programming.
5. In the event of unscheduled programming, such as a weather or emergency alert, we must contact WBKO's general manager and he will authorize SCTC to switch over to WBKO's programming at our headend. This process is burdensome, lengthy and results in us missing most local breaking news.
6. For example, we did not pick up WBKO's local coverage of the recent solar eclipse because it occurred outside of the pre-schedule swap times.
7. We often receive complaints from customers about programming switching over from WBKO to the Nashville feed.

I have read this Declaration and the Reply to Opposition to which it is attached. I certify that to the best of my knowledge, information and belief formed after reasonable inquiry, both submissions are well ground in fact, and are not interposed for any improper purpose.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Johnny McClanahan", written over a horizontal line.

Johnny McClanahan

VP of Finance and Administrative Services

North Central Telephone Cooperative, Inc.

October 4, 2017

EXHIBIT 3

Hammond Declaration

EXHIBIT 3

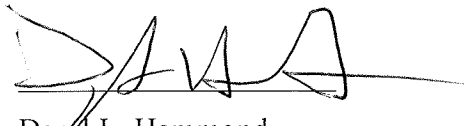
DECLARATION OF DARYL HAMMOND

I, Daryl Hammond, hereby declare, under penalty of perjury, as follows:

1. I am the Vice President and Chief Financial Officer for Duo County Telephone Cooperative. I have worked for the company for 33 years. My current responsibilities include managing all financial, regulatory, customer service and video content contracts for the company and its subsidiaries.
2. After WBKO informed us in 2014 that the ABC Network no longer would permit the station to grant retransmission consent for its full signal, we installed equipment in our headend so that we could continue to carry select WBKO local programming.
3. At the beginning of each week, we assign a technician to check WBKO's schedule to determine when to switch to WBKO programming.
4. Once the switching schedule is set, although there is not a large amount of deviation, we do continually check and verify the schedule.
5. Any time a program runs over its allotted time, it throws the programming off and the swap, because it is set by time rather than program duration, no longer aligns with the programming. To correct it, we must bring someone in to manually manipulate the schedule.
6. Although we do have the ability to manually override the automatically set swap schedule to accommodate changes, it is time consuming. Once the technician arrives, it can take 30 minutes to get in and make and verify the change.
7. The headend is manned 8 a.m. to 5 p.m., Monday through Saturday. On Saturday, however, technicians are in and out because they have other functions and tasks.
8. During prime time, the headend is not manned, so we would not be aware of any unscheduled programming interruptions, such as a weather cut-in.
9. As an example, we did not pick up WBKO's solar eclipse coverage because it was outside of the pre-scheduled swap times.
10. Our system is located at the fringe of the Louisville and Lexington DMAs, to the east and southeast of those cities. Weather events primarily approach from the west, so weather alerts from the Bowling Green DMA are very important for advance notice in the event of inclement weather or an emergency.

I have read this Declaration and the Reply to Opposition to which it is attached. I certify that to the best of my knowledge, information and belief formed after reasonable inquiry, both submissions are well ground in fact, and are not interposed for any improper purpose.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Daryl L. Hammond', written over a horizontal line.

Daryl L. Hammond
Vice President/Chief Financial Officer
Duo County Telephone Cooperative
October 4, 2017

EXHIBIT 4

Sample Weekly Local Programming Schedule

It has come to our attention the confusion regarding the small switch between WBKO and Channel 2 Nashville due to ABC prohibiting a retransmission agreement between EPB and WBKO. This is a mandate from ABC because we are in the Nashville DMA. We are currently only allowed to show WBKO local programming during non-primetime hours only.

Listed below are the time periodsthat you will see the switch to WKRN take place.

Time Period (Central Time Zone)	Day(s)
7:00 am-9:00 am	Monday-Friday
10:00 am-11:00 am	Monday-Friday
12:00 pm-2:00 pm	Monday-Friday
5:30 pm-6:00 pm	Monday-Friday
7:00 pm-10:00 pm	Monday-Friday
10:35 pm-12:05 am	Monday-Friday
2:35 am-4:00 am	Monday-Friday
7:00 am-8:00 am	Saturday
5:30 pm-6:00 pm	Saturday
7:00 pm-10:00 pm	Saturday
7:00 am-8:00 am	Sunday
5:30 pm-6:00 pm	Sunday
6:00 pm-10:00 pm	Sunday

We understand one of the biggest concerns is weather alerts and school closings. During extreme weather events going forward, EPBsmartnet will make every attempt to switch to WBKO for local weather coverage.