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October 6, 2017

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: GN Docket No. 16-142**

Dear Ms. Dortch:

On October 4, 2017, Rick Chessen, Michael Schooler, and Diane Burstein, all of NCTA - The Internet & Television Association, met with Brooke Ericson, Chief of Staff and Media Advisor to Commissioner O’Rielly. On October 5, 2017, we met with Nirali Patel, Acting Legal Advisor to Commissioner Carr.

During our meetings, we discussed the need for the Commission to ensure that the broadcasters’ roll-out of ATSC 3.0 does not disrupt consumers or impose costs and burdens on cable operators. In particular, we reiterated our position that the Commission should require broadcasters to continue to transmit a robust ATSC 1.0 signal during the transition period to ATSC 3.0. Rather than end certain key transition requirements after an arbitrary three-year period, as NAB proposed in an ex parte filing,<sup>1</sup> the Commission must continue to require simulcasting until it determines that conditions warrant allowing a broadcaster to no longer provide an ATSC 1.0 signal.

During that transition period, among other things, we reiterated that the ATSC 1.0 simulcast stream must continue to serve the same coverage area and community of license from a “host” station as it did prior to the launch of the ATSC 3.0 signal on its regularly assigned channel. In addition, the ATSC 1.0 simulcast signal should be required to transmit the same format as before the transmission of the companion ATSC 3.0 signal, with the same programming except where technically infeasible due to the nature of ATSC 3.0.

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<sup>1</sup> See Ex Parte Letter from Patrick McFadden, Associate General Counsel, National Association of Broadcasters, to Marlene H. Dortch, Sept. 8, 2017, p. 4.

Finally, we discussed why, in these unique circumstances, and especially while transmission of an ATSC 3.0 signal is to be completely voluntary, there is no basis for allowing broadcasters to use access to an ATSC 1.0 signal to secure new carriage rights for ATSC 3.0 signals in a manner that imposes costs and hardships on MVPDs and their customers.

Respectfully submitted,

**/s/ Rick Chessen**

Rick Chessen

cc: B. Ericson  
N. Patel