



**March 4, 2019**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12th Street SW  
Washington, DC 20554

**Re: Ex Parte Notice  
Docket 18-349  
Docket 18-202  
Docket MB 13-249  
Docket 18-214  
Docket GN 12-268**

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Dear Ms. Dortch:

On Wednesday, February 27, 2019, the California Broadcasters Association ("CBA") executive team and board of directors met with Commissioner Michael O'Rielly, Alison Steger of Commissioner Pai's office, Kate Black of Commissioner Jessica Rosenworcel's office, and Michael Scurato of Commissioner Starks' office. Teresa Burgess, KBAK-TV/KBFX-TV Bakersfield, Jeremy Price, KNZR/KKBB/KLLY Bakersfield Derek Jefferey, KGET-TV/KKEY-TV/CW Bakersfield, Matt Rosenfeld, KSEE-TV/KGPE-TV Fresno, Aaron Scoby, KNSO-TV TELEMUNDO 51 Fresno, Elliott Troshinsky, KCRA-TV/KQCA-TV Sacramento, Angie Balderas, ENTRAVISION Sacramento/Stockton/Modesto, Steve Stuck, KUVS-TV/KTFK-TV Sacramento/KFTV-TV/KTFF-TV Fresno, Kathleen Choal, KSBY-TV San Luis Obispo, Mark Danielson, KEYT-TV/KKFX-TV/KSBB-TV Santa Barbara, Terry Fahy, KFSH/KKLA/KRLA/KTIE Glendale/Los Angeles, Brian Holton, KHTV-TV/KSFV-TV/KVME-TV Los Angeles, Doug Harvill, CUMULUS MEDIA San Francisco, Leon Clark, KGTV-TV San Diego, Diane Sutter, Shooting Star Productions Los Angeles, Carlos Perez, Univision San Jose. Matters discussed included the following.

Children's TV Rules (KidVid). CBA encouraged the FCC to proceed with the revision of the children's television rules. CBA did not advocate for a complete revocation of the KidVid rules, but rather for more flexibility to allow children's television programming to be pre-empted for important news events without the necessity for make-good broadcasts that disrupt other portions of the program schedule. More flexibility would also allow more locally produced news and community information programming. Further, considering all of the children's programming options through the many forms of program distribution now available to most California families, the Commission should eliminate the rule that requires a digital television station to provide children's programming on all of its digital streams. The CBA is mindful that there are some families that are entirely dependent on over-the-air broadcast, but believes that the remaining requirement would serve those families while providing needed balance.

ATSC 3.0. CBA members discussed their successful experiences with implementation of ATSC 3.0 (NextGenTV). Examples included how stations are better able to offer more customized viewer service, and most importantly, more accurate and targeted emergency notifications. CBA urged the Commission to move more quickly to allow ATSC 3.0 adoption.



TV Repack. CBA reported to the Commissioners and their staffs that, although the repack appears to be moving forward smoothly in California, so far, broadcasters remain very concerned as the transition "crunch" approaches. CBA implored Commissioners and their staffs to be vigilant and mindful of resource issues that will likely arise, including the scarcity of tower crews and the availability of new replacement equipment. The Commission should be willing to grant extensions where necessary.

The Quadrennial Review and the Broadcast Marketplace. CBA emphatically explained that broadcast television and broadcast radio are no longer markets unto themselves; that the Commission and all government authorities must be cognizant that the digital revolution has expanded the competitive marketplace. Broadcast radio and television are now competing with multiple forms of audio and video delivery to consumers, in some cases even competing with their own programming. For the Commission, this needed understanding is particularly acute in the quadrennial review of radio subcaps. While taking no position with respect to the overall proposals with respect to radio subcaps, the CBA did take a strong position that AM only subcaps should be discarded and that such a revision could be critical to the survival and revitalization of AM radio.

Pirate Radio. The Commissioners and FCC staff were lauded for their work on curtailing pirate radio. CBA mentioned that pirate radio is becoming a problem in San Francisco as well as on the east coast.

Sincerely,

**Womble Bond Dickinson (US) LLP**

Gregg P. Skall  
Counsel to the California Broadcasters Association