

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

In the Matter of)	
)	
Expanding Flexible Use of the 3.7 to 4.2 GHz Band)	GN Docket No. 18-122
)	
Expanding Flexible Use in Mid-Band Spectrum)	GN Docket No. 17-183
Between 3.7 and 24 GHz)	(Inquiry Terminated as to 3.7-4.2 GHz)
)	
Petition for Rulemaking to Amend and Modernize)	RM-11791
Parts 25 and 101 of the Commission’s Rules to)	
Authorize and Facilitate the Deployment of)	
Licensed Point-to-Multipoint Fixed Wireless)	
Broadband Service in the 3.7-4.2 GHz Band)	
)	
Fixed Wireless Communications Coalition, Inc.,)	RM-11778
Request for Modified Coordination Procedures in)	
Band Shared Between the Fixed Service and the)	
Fixed Satellite Service)	

COMMENTS OF ETERNAL WORD TELEVISION NETWORK, INC.

Eternal Word Television Network, Inc. (“EWTN”) respectfully submits these comments in response to the above-captioned Federal Communications Commission (“FCC” or “Commission”) Notice of Proposed Rulemaking soliciting feedback on proposals to permit terrestrial mobile use of the 3700-4200 MHz band (the “C-band”)¹ currently used for the reliable satellite delivery of video programming and other content to multichannel video programming distributors, broadcasters and others for distribution to viewers and listeners throughout the nation.

¹ *Expanding Flexible Use of the 3.7-4.2 GHz Band*, Order and Notice of Proposed Rulemaking, GN Docket No. 18-122, FCC 18-91 (rel. July 13, 2018).

I. BACKGROUND

EWTN is the largest provider of Catholic television, radio, and online content in the United States and throughout the world, now serving approximately 300 million television homes globally. EWTN also provides a unique perspective as a non-profit media organization that has relied and continues to rely on C-band communications to power its distribution for 37 years.

In 1981, Mother Mary M. Angelica of the Poor Clare Nuns of Perpetual Adoration founded EWTN as a nonprofit 501(c)3 corporation that provides independent public interest programming comprised of religious, family, and spiritual content as well as live coverage of special events occurring worldwide. In December of that year, Mother Angelica flipped the switch on a C-band transmitter that immediately transmitted EWTN to the entire United States. EWTN quickly grew to full-time programming and picked up cable affiliates at a time when analog bandwidth severely limited the channel space and made cable affiliation highly competitive.

Today, EWTN currently offers three 24-hour television networks for consumers in the United States. These channels are distributed on Galaxy 15, in the 3780 H and 3808 H frequencies. On these transponder slots, EWTN distributes all domestic television and radio programming and some international programming.

II. DISCUSSION

A. Protected and Reliable C-Band Satellite Operations Are Essential for EWTN's Video Programming Because Current Alternatives Are Unproven

Since 1981, C-band has enabled EWTN's growth by providing a reliable full time, fixed cost, deliver-to-all distribution method. EWTN earns no revenue on distribution. Today, consistent with its charitable mission, EWTN continues to be distributed without commercial

advertising of any sort and without subscriber fees. Among television programming, it is unique in that no channel revenue is earned or charged.

All EWTN programming is distributed free to air, and anyone with C-band receivers can view EWTN programming. C-band economics permit EWTN to deliver to the entire footprint of Galaxy 15 without any additional distribution cost. Even if every viewer in the satellite footprint tunes in EWTN, the cost to distribute by C-band transmission is the same. Unlike other frequencies, especially Ku-band, C-band provides a broadcast quality signal without dropouts, fading, or signal loss throughout the year and in all conditions. Ku-band satellite spectrum lacks the reliability of the C-band and is especially susceptible to attenuation and rain fade, making it a particularly poor alternative for EWTN's video programming distribution for which a continuous and reliable signal is critical.

C-band has enabled a robust and reliable distribution network with MVPDs and international distribution. EWTN has affiliation contracts with nearly all MVPDs. Distribution of channel programming domestically and internationally still hinges on the continued robustness and reliability of the C-band. Backhaul and programming delivery are still principally performed by C-band, and will be for some time. Moreover, EWTN channel space in the C-band is protected from interference by other occupants of the band. Most significantly to EWTN, C-band delivers all these benefits at a fixed cost.

There is no other reliable substitute for C-band distribution in the foreseeable future. With respect to IP distribution, EWTN has heard of even major networks that are attempting to employ IP distribution, but it has not heard of any that have been able to replace C-band entirely. In order to receive equivalent protection from interference as is afforded with C-band, IP delivery would require dedicated circuitry between end points, such as fiber or dark fiber, an

option that is unavailable or is prohibitively expensive when it is available. Also, IP delivery that is hauled on open circuits introduces new point-to-point quality concerns, possible interference or signal loss, and is paid per end user. Unlike C-band, which is a pay once, deliver-to-all solution, internet delivery introduces variable costs, as well as a variety of *new* costs without the signal protections. EWTN has been unable to find an IP solution that matches C-band.

EWTN has many affiliates that are rural, municipal, or cooperatives located in areas that are not served by robust infrastructure. C-band provides these systems with full-time, full broadcast quality signals. Forcing new technologies onto these rural communities may not be cost effective, either in initial investment or ongoing costs. Even if alternative technologies were available, the economics of those models may be cost prohibitive, as some of these systems have subscriber counts in the hundreds. Even for systems with larger subscriber counts, many of the alternative technologies today would not be cost effective, particularly when compared to the efficiency of C-band. Today, with C-band, robust service to these rural communities remains feasible. EWTN serves these areas without additional cost or extravagant, unproven technology. Disrupting C-band would interrupt service to these small and rural systems and deprive subscribers of EWTN's programming. Altogether, there are no reliable and proven substitutes for C-band at this time or for the foreseeable future.

B. Any Transition Proposal Adopted by the Commission Must Provide Impacted C-Band Users with Operational and Financial Protections and Provide a Sufficient Transition Timeline

There are proposals seeking to exchange a portion of the C-band for 5G use. These proposals appear to immediately affect EWTN distribution, which use 3790 and 3808 MHz. Though EWTN would prefer to maintain C-band where it is, the prospect of moving its

transponders raises numerous logistical concerns.

First, EWTN's distribution to MVPDs is fairly well settled and it is located on a transponder surrounded by other major cable programmers. EWTN has managed its satellite distribution in keeping with top tier channel programmers. This "neighborhood" of television programming introduces efficiencies for affiliates, who seek to downlink channel programming with the most efficient array of antennas. In the event that EWTN were to move, its new "neighborhood" location must have similar or better operational characteristics. Otherwise, MVPDs may drop EWTN programming, thereby harming EWTN's distribution. Furthermore, EWTN may be forced to provide affiliates with new equipment, which means it would have a cost foisted upon it by parties benefitting from the change. Either outcome damages EWTN.

Second, EWTN has managed transponder changes in the recent past, and these changes in delivery take time. Accordingly, EWTN believes a C-band transition may require 18 to 24 months beyond the time that a new location is identified (i.e., 18-24 months beyond the 36-month negotiation period being proposed to the FCC), EWTN has a variety of obligations it has undertaken in its affiliations, and some of those obligations require it to provide adequate advance notice to its affiliates of a change in delivery. The new location needs to be known at the time of notice. Moreover, the neighborhood of television programming in the new location must be known as well. EWTN expects more information to accumulate after notice, such as the technology required to receive signals or the ability of headend receivers to receive the signals from the new locations. All of this information takes time to compile and understand. In addition to all of these concerns, the transition presents a considerable administrative burden on EWTN's lean charitable operation to undertake such an endeavor. All of those costs are piled on top of the proposed need for new equipment to operate C-band after the imposition of 5G

services in its spectrum.

Whatever transition mechanism the Commission adopts must account for the operational and financial impacts and potential harms that may arise from being transitioned involuntarily and ensure that programmers such as EWTN are adequately protected and are given a reasonable timeline to ensure all of their affiliates are able to successfully accommodate the transition.

III. CONCLUSION

Based on the foregoing, EWTN urges the Commission to (a) recognize the extent to which non-commercial programmers such as EWTN rely on protected, reliable, and affordable C-band services; and (b) to ensure that such programmers that are impacted by an involuntary transition are provided operational and financial protections and a sufficient timeline to effectuate the transition with their affiliates without harm.

Respectfully submitted,

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