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Vice President of Marketing

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

RE: MB Docket No. 16-306; GN Docket No. 12-268
Notice of Ex Parte Communication

Dear Ms. Dortch:

On February 27, 2019, Tom Silliman, Todd Forbes, Kenny Brown, Kathy Stieler and Bill Harland of Electronics Research, Inc. ("ERI") met with Jean Kiddoo, Hillary DeNigro, Barbara Kreisman, Kevin Harding, Mark J. Colombo, Charles Eberle, Dana Leavitt, David Roberts and Brian Smith of the Commission.

The purpose of the meeting was to provide input to the Incentive Auction Task Force and the Video Division of the Media Bureau regarding issues that ERI has encountered that have caused delays in completing early stage Repack projects. The Commission Staff has received a number of comments regarding lack of crew availability and inclement weather causing delays but there has been little discussion of the schedule impact caused by late delivery of final transmission line components and no comments of the additional costs the late deliveries generate, which are passed on to the FCC for reimbursement.

The discussion included a variety of actual field experiences with late deliveries of antenna and transmission line components and the impact of these missed deadlines on the project at hand as well as the impact on other scheduled projects for both ERI installation crews and crews with whom ERI has subcontracted installation work.

It was stressed that ERI was unlike other broadcast equipment suppliers in that we are a vertically integrated "full service" supplier that builds antennas, filters and transmission line systems and also manufactures towers. ERI also provides installation services with our own crews and with subcontractors for everything we manufacture. In addition, we have the expertise and provide structural analysis and tower reinforcement engineering analysis, design, manufacturing and installation capabilities required for tower reinforcement. ERI also related information on the investments the company made in new facilities, equipment and people in advance of and completed well before the issue date of the Incentive Auction Closing and Channel Reassignment Public Notice (April 13, 2017). At this time, ERI is operating at approximately 50% of its total production capacity for high power television antennas.



We also shared that our sales force regularly reports that orders are lost due to existing contractual agreements between a broadcaster and an equipment vendor. These agreements, sometimes called Preferred Customer Agreements, supposedly include clauses that prevent broadcasters from purchasing equipment from other suppliers as long as the agreements are in force. These agreements appear to be harming the repacking process, making it difficult for broadcasters to substitute equipment when delays are encountered. We concluded our comments by noting that the FCC's ten (10) phase schedule for the Repack transition is aggressive. But that the Commission's flexibility in granting CP's and STA's for interim facilities on post-transition channels will minimize interruptions of service to the Public and that ERI shares with Broadcasters, our competitors and the FCC the common goal of completing the Post-Incentive Auction Transition successfully.

This letter is being filed electronically via the Electronic Comment Filing System in the referenced proceedings.

Respectfully submitted,

ELECTRONICS RESEARCH, INC.



Bill Harland
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cc: Jean Kiddoo
Hillary DeNigro
Barbara Kreisman
Kevin Harding
Mark J. Colombo
Charles Eberle
Dana Leavitt
David Roberts
Brian Smith

