

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Upgrade to the Next Generation) GN Docket No. 16-142
Digital Television Service)
)

INITIAL COMMENTS OF MEREDITH CORPORATION

Meredith Corporation¹ supports the Commission’s proposal for a voluntary and market-driven rollout of ATSC 3.0 (“Next Generation TV”).² Next Generation TV will allow television broadcasters to offer an Internet Protocol, over-the-air experience that efficiently enhances core services with better picture and sound quality, signal robustness and mobility, VOD content, interactivity, emergency alerts, accessibility, and advertising. Furthermore, the move to Internet Protocol will allow broadcasters to compete with other data-delivery infrastructure for existing and future Internet services (*e.g.*, content delivery networks (CDNs), cars, etc).

Meredith encourages the FCC to adopt ATSC 3.0 as a new, optional additive standard, while allowing simulcasting for a voluntary transition and implementing necessary clean-up rule changes to be clear ATSC 3.0 counts as "television broadcasting" under the FCC's rules. In these Initial Comments, Meredith emphasizes the importance of a voluntary transition, supports a

¹ Meredith Corporation's Local Media Group (“Meredith”) includes 17 television stations reaching 11 percent of U.S. households. Meredith's portfolio is concentrated in large, fast-growing markets, with seven stations in the nation's Top 25 — including Atlanta, Phoenix, St. Louis and Portland — and 13 in Top 50 markets.

² See generally *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, Notice of Proposed Rulemaking, GN Docket No. 16-142 (Feb. 24, 2017) (“ATSC 3.0 NPRM”).

“light touch” regulatory approach, and encourages the Commission to ignore competitors’ pleas for unnecessary delay.

I. The Commission Should Implement a Voluntary Transition to ATSC 3.0

Meredith believes that the key to a successful transition to ATSC 3.0 is a focus on “voluntary.” “Voluntary” means that stations could transition in a variety of ways – individual agreements, market-wide agreements, vacant channels, or other concepts that have not yet arisen. At the baseline, so long as a station continues to provide ATSC 1.0 service in some manner to its community of license, the Commission should allow the marketplace to determine the transition.³ Stations are fully incentivized to serve their customers and viewers, and the transition will occur at a speedier pace without the heavy yoke of government regulation.

II. The Commission Should Take a Minimalist Regulatory Approach to the Next Generation TV Transition at This Time

Meredith encourages the Commission to take a minimalist regulatory approach to the Next Generation TV transition. First and foremost, the Commission should allow for simulcasting agreements and not require formal channel sharing. Meredith supports the suggestion of Pearl TV that after a simple notification process, the Commission’s rules apply independently to the content stream of each originating station even when carried by another station in the transition. For example, if Station A retransmits two other stations (Stations B and C) in ATSC 3.0 (or ATSC 1.0), Station B and Station C would each be independently responsible for their content under the Commission’s rules (and the transmitting station would be responsible for its own stream(s)’ content). In addition, the Commission will continue to have

³ Suggestions in the ATSC 3.0 NPRM that simulcasting subchannels may be required misses that stations are not required to air subchannels at all. While stations have full economic incentive to provide subchannels in each over-the-air platform, licensing issues or capacity concerns could cause stations to remove subchannels entirely if such an obligation were put into place.

regulatory authority for technology rules, for example, by exercising authority over a “lighthouse” station. The stations can allocate non-content risk and obligations contractually. Simulcasting agreements give the Commission and broadcasters flexibility, as each market may be different and needs will change over time. Unlike channel sharing, simulcasting agreements will not tax the Commission’s limited resources.⁴

Furthermore, similarly to wireless carrier transitions, the FCC does not need to mandate ATSC 1.0 coverage, a sunset date, or must carry for ATSC 3.0 signals as broadcasters will be incentivized by the market to reach their viewers and consumers. While appropriate to require coverage of a station’s community of license in ATSC 1.0 during the transition period (as the Commission does today) requiring coverage of a DMA or a contour would severely limit the ability of the industry to transition, especially in concert with the repack.⁵ Again, stations have a full economic incentive to reach the same viewers they reach today.

III. The Commission Should Not Allow Broadcasters’ Competitors to Slow Competition

The Commission should take the pleas of Multichannel Video Programming Distributors (“MVPDs”) in this docket at face value as nothing more than an attempt by competitors to slow technological competition. Meredith encourages the Commission to ignore MVPDs’ attempts to hijack yet another docket to put forth arguments about retransmission consent, patents, and objections to further competition from broadcasters against MVPDs. The Commission should

⁴ Meredith is not an expert on Section 399B, but believes that the simulcasting with notification proposal of Pearl TV will resolve any such concerns. To the extent that the Commission finds otherwise, Meredith hopes that other commenters will provide the Commission with opportunities to waive 399B for NCE stations in the context of the transition. If they cannot, the balance of equities still leans toward a more flexible simulcasting approach.

⁵ Similarly, Single Frequency Networks should be permitted under existing rules, as proposed by the Commission.

instead work under the simple premise that existing retransmission rules can remain in place and ecosystem participants can make their decisions based upon those rules. For example, a retransmission consent station can determine whether to include ATSC 3.0 in the balance of economic concepts it negotiates with an MVPD, just as MVPDs today demand irrelevant Over-the-Top and TV Everywhere rights in retransmission consent negotiations.

IV. ATSC 3.0 Will Increase Consumer Welfare, Competition, and Public Safety

While MVPDs wish to throw a wrench in the process, Meredith and other broadcasters want to transition to ATSC 3.0 to strengthen competition, enhance consumer welfare, and further serve the public interest. Next Generation TV supports 4K ultra-high definition transmission, will support future enhanced transmission, and allows multiple views and accessibility services. Importantly, Next Generation TV allows for mobility to expand the reach of broadcast programming and emergency alerting. Indeed, broadcasters will be able to deliver reliable mobile alerts even when cell reception or other traditional services may be overloaded or down.

V. Conclusion

In conclusion, Meredith encourages the FCC to adopt Next Generation TV as a new, optional additive standard, while allowing simulcasting for a voluntary transition with a “light touch” regulatory hand. The Commission should not allow broadcasters’ competitors’ fear of stronger competition slow down the march toward a new broadcasting frontier.

Respectfully Submitted,

/s/

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