

## Professional Sports teams in Texas

### NFL

Dallas Cowboys



Houston Texans



### MLB



Houston Astros

Texas Rangers



### NBA

Dallas Mavericks



Houston Rockets



San Antonio Spurs





# County of Panola

110 S. Sycamore • Room 216-A  
Carthage • Texas 75633  
Phone 903-693-0391 • Fax 903-693-2726

County Judge  
Lee Ann Jones

County Commissioners  
Ronnie LaGrone, Pct. #1  
John Gradberg, Pct. #2  
Craig Lawless, Pct. #3  
Dale LaGrone, Pct. #4

June 13, 2018

Allison A. Minea  
Director and Senior Counsel, Regulatory Affairs  
DISH Network, LLC  
1110 Vermont Ave., NW, Suite 750  
Washington, D.C. 20005

Dear Sir or Madam:

About a year ago, the Federal Communications Commission (FCC) announced it is accepting market modifications under The Satellite Television Extension and Localism Act Reauthorization Act of 2014 (STELAR). The FCC also stated that: "We encourage prospective petitioners to contact the satellite carrier before filing a satellite market modification petition to determine whether or not the prospective petition is technical and economically feasible for the carrier. This voluntary process is referred to as "pre-filing coordination."

Currently, Panola County, Texas is assigned to the Shreveport, Louisiana Designated Market Area (DMA). The vast majority of television viewers in Panola County desire the availability of in-state television, specifically Tyler-Longview, Texas.

This is to advise that the Panola County Commissioners' Court, while meeting in a Regular Session on Tuesday, June 12, 2018, voted to follow the FCC rules, as modified under the STELAR Act, to begin the process for a market modification request. The purpose of this letter is to initiate the "pre-filing coordination" to ascertain that Panola County, Texas' prospective petition is technically and economically feasible for "Direct TV".

If you have any questions or need clarification, you may contact Lee Ann Jones, County Judge.

It is my understanding that we can expect your response within 45 days.

Sincerely,

Lee Ann Jones  
County Judge

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Exhibit





Alison A. Minea  
Director & Senior Counsel, Regulatory Affairs  
(202) 463-3709  
Alison.Minea@dish.com

June 26, 2018

**VIA ECFS AND FIRST CLASS MAIL**

Lee Ann Jones, County Judge  
County of Panola  
110 S. Sycamore Room 216-A  
Carthage, TX 75633

Re: *STELAR Feasibility Certification, Market Modification Pre-Filing Coordination Letter for Panola County, Texas*, MB Docket No. 15-71

Dear Judge Jones:

DISH Network L.L.C. ("DISH") is in receipt of your pre-filing coordination letter ("Letter"),<sup>1</sup> pursuant to the procedures set forth in the Federal Communications Commission's rules governing market modifications for satellite carriers under the STELA Reauthorization Act of 2014.<sup>2</sup>

The Letter requests information regarding carriage of local broadcast stations from the Tyler-Longview, Texas Designated Market Area into Panola County, Texas. The attached Feasibility Certification pursuant to 47 C.F.R. § 76.59(e) reflects DISH's response to the Letter. Please contact me if you have any questions.

Sincerely,

Alison Minea

Alison Minea  
Director & Senior Counsel, Regulatory  
Affairs  
DISH Network L.L.C.

Attachment: Feasibility Certification Pursuant to 47 C.F.R. § 76.59(e)

<sup>1</sup> Letter from Lee Ann Jones, County Judge, Panola County, Texas, to Alison A. Minea, DISH, June 4, 13, 2018.

<sup>2</sup> See Amendment to the Commission's Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act of 2014, *Report and Order*, MB Docket No. 15-71, FCC 15-111, ¶ 47 (Sept. 2, 2015) ("*Market Modification Order*"). See also STELA Reauthorization Act of 2014 (STELAR), § 102, Pub. L. No. 113-200, 128 Stat. 2059, 2060-62 (2014) (codified at 47 U.S.C. § 338(l)).

1. The first step is to identify the problem. This involves understanding the current situation and what needs to be changed.

~~CONFIDENTIAL~~

[illegible]

1. The first step in the process of identifying a problem is to define the problem. This involves identifying the symptoms of the problem and determining the scope of the problem. Once the problem has been defined, the next step is to identify the causes of the problem. This involves identifying the factors that are contributing to the problem and determining the underlying causes. Once the causes have been identified, the next step is to develop a plan to address the problem. This involves identifying the actions that need to be taken to address the problem and determining the resources that will be needed to implement the plan. Finally, the last step in the process is to implement the plan and monitor the results. This involves putting the plan into action and tracking the progress of the plan to ensure that the problem is being addressed effectively.

1. General  
 2. Particulars  
 3. Amount  
 4. Balance  
 5. Interest  
 6. Dividend  
 7. Profit  
 8. Loss  
 9. Gain  
 10. Expense  
 11. Income  
 12. Asset  
 13. Liability  
 14. Equity  
 15. Debt  
 16. Equity  
 17. Debt  
 18. Equity  
 19. Debt  
 20. Equity

(c) The following information is being furnished to you for your information:

**STELAR FEASIBILITY CERTIFICATION PURSUANT TO 47 C.F.R § 76.59(e)**

1. This Feasibility Certification is issued by DISH Network L.L.C. (“DISH”) pursuant to the pre-filing coordination procedures contained in the Federal Communications Commission’s (“FCC”) Order<sup>1</sup> governing market modifications for satellite carriers under the STELA Reauthorization Act of 2014 (“STELAR”).<sup>2</sup>
2. This Feasibility Certification responds to the letter (“Letter”) dated June 13, 2018 from Judge Lee Ann Jones requesting information regarding carriage of local broadcast stations from the Tyler-Longview, Texas Designated Market Area (“Tyler-Longview DMA”) into Panola County, Texas (the “County”).
3. DISH carries local broadcast stations for the Tyler-Longview DMA on spot beams located on two different satellites: from the 110° W.L. orbital slot (in standard definition or “SD”) and from the 61.5° W.L. orbital slot (in high definition or “HD”).
4. The ability of an individual DISH subscriber in the County to receive local broadcast stations from a given orbital slot depends on, among other things, how the subscriber’s individual satellite antenna was originally installed and pointed, and whether that subscriber is predicted to have adequate spot beam coverage from one of our two satellites that carry the Tyler-Longview DMA stations.
5. In general, a DISH customer’s satellite antenna, when installed, is pointed so that it can receive satellite signals from specific orbital slots. Receiving service from orbital slots not planned for in the original equipment installation at the subscriber’s home typically would require DISH to send a truck and technician to adjust equipment or install different equipment, which would impose a very substantial cost burden on DISH.
6. For DISH subscribers in the County, DISH must first determine whether the particular spot beam on each of our two satellites that carry the Tyler-Longview DMA stations provides adequate spot beam coverage. In determining whether a given spot beam covers the County, DISH evaluates whether the spot beam’s signal, as designed by the satellite manufacturer, is predicted to achieve reception and demodulation of the signals at the same availability levels that DISH ordinarily uses to assess spot beam coverage for the local markets to which DISH provides service. In so doing, DISH has “conducted this analysis in substantially the same manner and using substantially the same parameters used to determine the geographic area in which it currently offers stations carried on the spot beam.”<sup>3</sup> The calculation methodology takes into account the following principal parameters: (i) the uplink and downlink portions of the end-to-end satellite signal, (ii)

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<sup>1</sup> Amendment to the Commission’s Rules Concerning Market Modification, Implementation of Section 102 of the STELA Reauthorization Act of 2014, Report and Order, MB Docket No. 15-71, FCC 15-111, ¶ 47 (Sept. 2, 2015) (“*Market Modification Order*”).

<sup>2</sup> STELA Reauthorization Act of 2014 (STELAR), § 102, Pub. L. No. 113-200, 128 Stat. 2059, 2060-62 (2014) (codified at 47 U.S.C. § 338(l)).

<sup>3</sup> *Market Modification Order* ¶ 41.

# THE HISTORY OF THE UNITED STATES

The history of the United States is a story of growth and change. From the first settlers to the present day, the nation has evolved through various stages of development. The early years were marked by exploration and settlement, followed by a period of rapid expansion and industrialization. The American Revolution was a pivotal moment in the nation's history, leading to the establishment of a new government. The 19th century was a time of great achievement, with the United States emerging as a world power. The 20th century brought challenges such as the Great Depression and World War II, but also saw the rise of the American Dream and the civil rights movement. Today, the United States continues to shape the world and its future.

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rain loss using the International Telecommunication Union (“ITU”) 618.6 rain rate data and ITU rain region boundaries, (iii) atmospheric loss, (iv) carrier to interference ratio (“C/I”) terms due to adjacent satellite interference, (v) C/I terms due to aggregate adjacent beam interference, (vi) cross polarization degradation, (vii) forward error correction, and (viii) modulation.

7. **Spot Beam Coverage – 110° W.L. orbital slot:** The spot beams at the 110° W.L. orbital slot that transmit the Tyler-Longview **SD** local stations are predicted to provide adequate coverage to the County. DISH customers in the County already have in-home equipment to allow them to receive DISH service from the 110° W.L. orbital slot.
8. **Spot Beam Coverage – 61.5° W.L. orbital slot:** The spot beams at the 61.5° W.L. orbital slot that transmit the Tyler-Longview **HD** local stations are predicted to adequately cover the County. However, less than 1% of DISH’s customers in the County have satellite antennas and in-home equipment that were installed to be able to receive service from the 61.5° W.L. orbital slot. DISH therefore would need to schedule a service visit for virtually 100% of its subscribers in the County, which would impose a very substantial cost burden on DISH in addition to being an inconvenience to customers.
9. **Feasibility Determination:** Given the lack of necessary customer at-home equipment and installation, DISH has determined that it would be both technically and economically *infeasible* within the meaning of 47 C.F.R. §76.59(e) to provide the **HD** Tyler-Longview DMA local stations to the County. However, it would be feasible within the meaning of 47 C.F.R. §76.59(e) for DISH to provide the Tyler-Longview DMA local stations in **SD only** to DISH subscribers in the County.
10. DISH reserves the right to amend this Feasibility Certification at any time due to, among other things, a satellite equipment failure or a different satellite(s) being brought into service for the area that includes the County which has different coverage capabilities than the satellites currently being used.
11. In addition, to the extent that a Tyler-Longview DMA local broadcast station impacted by a market modification elects retransmission consent with respect to DISH for carriage of its station in the County, DISH cannot be certain whether it will be able to successfully reach an agreement with the station. If DISH is unable to reach a retransmission consent agreement with a given station, it will be impossible for DISH to provide that station’s signal into the County. If an impacted station were to deny DISH the right to retransmit its signal into the County, it may be either technically or economically infeasible,<sup>4</sup> or both, for DISH to launch a customer offering with only the remaining stations that did grant retransmission consent.
12. As DISH noted in its comments during the development of the market modification rules,<sup>5</sup> an FCC grant of a market modification could result in, among other things, two

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<sup>4</sup> See 47 C.F.R. § 76.59(e).

<sup>5</sup> Comments of DISH Network L.L.C. at 9, MB Docket No. 15-71 (May 13, 2015).

different stations affiliated with the same broadcast network being authorized for satellite local-into-local carriage in the County. This could result in DISH being required to pay retransmission consent fees twice for the same broadcast network. Therefore, we must reserve the right to charge additional fees to subscribers in the County who elect to receive any Tyler-Longview local broadcast stations that DISH may be authorized to offer as a result of any market modification.

13. Without the ability to offset the additional costs associated with a market modification, it would be "economically infeasible" pursuant to 47 C.F.R. § 76.59(e) for DISH to comply with a market modification ordered by the FCC consistent with the request described in the Letter.

The foregoing has been prepared using facts of which I have personal knowledge or upon information provided to me. I certify under penalty of perjury that the foregoing is true and correct to the best of my current knowledge, information, and belief.



---

Alison Minea  
DISH Network L.L.C.

Executed on June 26, 2018





## County of Panola

110 S. Sycamore • Room 216-A  
Carthage • Texas 75633  
Phone 903-693-0391 • Fax 903-693-2726

County Judge  
Lee Ann Jones

County Commissioners  
Ronnie LaGrone, Pct. #1  
John Gradberg, Pct. #2  
Craig Lawless, Pct. #3  
Dale LaGrone, Pct. #4

June 13, 2018

Direct TV, LLC  
Local-into-Local Market Modification  
2260 East Imperial Highway  
El Segundo, California 90245

ATTENTION: VP, Content and Programming

Dear Sir or Madam:

About a year ago, the Federal Communications Commission (FCC) announced it is accepting market modifications under The Satellite Television Extension and Localism Act Reauthorization Act of 2014 (STELAR). The FCC also stated that: "We encourage prospective petitioners to contact the satellite carrier before filing a satellite market modification petition to determine whether or not the prospective petition is technical and economically feasible for the carrier. This voluntary process is referred to as "pre-filing coordination."

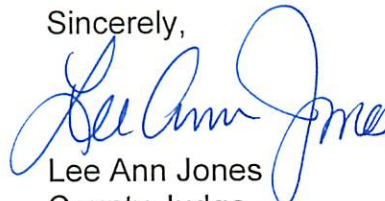
Currently, Panola County, Texas is assigned to the Shreveport, Louisiana Designated Market Area (DMA). The vast majority of television viewers in Panola County desire the availability of in-state television, specifically Tyler-Longview, Texas.

This is to advise that the Panola County Commissioners' Court, while meeting in a Regular Session on Tuesday, June 12, 2018, voted to follow the FCC rules, as modified under the STELAR Act, to begin the process for a market modification request. The purpose of this letter is to initiate the "pre-filing coordination" to ascertain that Panola County, Texas' prospective petition is technically and economically feasible for "Direct TV".

If you have any questions or need clarification, you may contact Lee Ann Jones, County Judge.

It is my understanding that we can expect your response within 45 days.

Sincerely,

  
Lee Ann Jones  
County Judge

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Exhibit



Via Federal Express

Lee Ann Jones  
County Judge  
County of Panola  
110 S. Sycamore, Room 216-A  
Carthage, TX 75633

June 25, 2018

Dear Ms. Jones:

Thank you for your letter regarding a market modification for Panola County, TX. While we appreciate your frustrations with the designated market area assignments into your area, we are subject to federal rules and restrictions on our ability to deliver local channels.

We would like to begin work on your request for Panola County; however, we cannot begin our process until Panola County indicates specifically which television station(s) DIRECTV should use in its preliminary evaluation of a potential market modification petition. This process requires that the requester follow specific procedures established by the Federal Communications Commission. Once submitted, the request must be reviewed and approved by the FCC, which will determine whether a market modification is warranted based on the Copyright rules and its own criteria for such a change.

When we receive the station or stations that Panola County would like DIRECTV to evaluate, then we can begin our preliminary evaluation.

Additional information on the process can be found on the FCC website:

<https://www.fcc.gov/document/fcc-adopts-satellite-television-market-modification-rules>

Again, thank you for your letter and your interest in DIRECTV programming.

Sincerely,

DIRECTV

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Exhibit



## County of Panola

110 S. Sycamore • Room 216-A  
Carthage • Texas 75633  
Phone 903-693-0391 • Fax 903-693-2726

**County Judge**  
Lee Ann Jones

**County Commissioners**  
Ronnie LaGrone, Pct. #1  
John Gradberg, Pct. #2  
Craig Lawless, Pct. #3  
Dale LaGrone, Pct. #4

June 26, 2018

Direct TV, LLC  
Local-into-Local-Market Modification  
2260 East Imperial Highway  
El Segundo, California 90245  
Attention: VP, Content and Programming

Dear Sir or Madam:

In response to your recent inquiry, my office has developed the following information. Texas channels that should be evaluated are:

1. KLTV-TV, channel 7, Tyler-Longview, Texas
2. KFXX-TV, channel 51, Longview, Texas
3. KETK-TV, channel 56, Jacksonville, Tyler-Longview, Texas
4. KYTX-TV, channel 19, Nacogdoches, Texas

The initial letter for preliminary evaluation comes from the county government. The Commissioners' Court is the Texas Constitutional authority set up to act as such. As County Judge, I preside over said government authority and act for the Court when the Court takes action.

Thank you again for your kind consideration for the benefit of our constituents.

Very Truly Yours,

A handwritten signature in blue ink that reads "Lee Ann Jones".  
LeeAnn Jones  
Panola County Judge

LAJ:vh

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Exhibit





Via U.S. Mail

July 25, 2018

LeeAnn Jones  
Panola County Judge  
Room 216-A  
110 S. Sycamore  
Carthage, TX 75633

Dear Ms. Jones:

Thank you for your letter regarding a preliminary evaluation for a potential market modification for Panola County, TX.

We have provided our engineering department with the details of your request so that they may evaluate the feasibility of carriage of the stations you have requested within Panola County.

We will forward the feasibility certification to you upon completion of the evaluation.

Additional information on the process can be found on the FCC website:

<https://www.fcc.gov/document/fcc-adopts-satellite-television-market-modification-rules>

Again, thank you for your letter and your interest in DIRECTV programming.

Sincerely,

DIRECTV

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Exhibit

Page 1 of 1

July 25, 2003

Mr. [Name]  
[Address]  
[City, State, ZIP]  
[Phone Number]

Dear Mr. [Name]:

Thank you for your letter regarding the [Subject]. I have reviewed the information you provided and I am sorry to hear that you are experiencing difficulties.

I have provided the information you requested and I am sorry that it may not be exactly what you needed. I will do my best to assist you in any way I can.

I will be happy to discuss this further with you if you have any questions or concerns.

I am sorry that I cannot provide a more definitive answer at this time.

I will be happy to discuss this further with you if you have any questions or concerns.

I am sorry that I cannot provide a more definitive answer at this time.

Sincerely,

[Signature]



## United States Senate

WASHINGTON, DC 20510-4305

June 21, 2018

Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, DC 20554

Dear Chairman Pai:

I am writing in support of Panola County's Petition for Special Relief (Petition) seeking to modify the local satellite carriage market for KFXK-TV and KLTV to include Panola County in east Texas. As you know, I supported passage of the STELA Reauthorization Act of 2014 (STELAR) which included a provision extending the market modification process to satellite carriers. In STELAR, Congress ensured that when reviewing such petitions, the FCC shall pay close attention to the "value of localism" to promote consumers' access to television broadcast signals originating in their state of residence.

Receiving local in-state news coverage, including weather and emergency warnings, state and local government and elections, community events, and relevant local sporting events, is of the utmost importance to my constituents in Panola County. Under the current Designated Market Area (DMA), such access is not available for satellite subscribers in Panola County, leaving residents perplexed and frustrated. Residents lament that in Panola County, many know more about the Louisiana Governor than the Texas Governor as they receive Shreveport, LA based broadcasts.

I am encouraged that in response to local concern, the county government has taken the initiative to rectify the lack of local, Texas-focused and Texas-produced programming for their community. From my understanding, the Petition would significantly improve the availability of Texas based broadcast content, providing consumers with access to television stations of the most local interest to them.

Access to in-state programming is an important issue to east Texans. I hope the FCC will ensure the Panola County Petition receives swift attention and that the agency move forward towards a quick resolution of this matter, as the FCC recently did with neighboring Harrison County, Texas. Please keep me apprised of the Petition's progress and should you have any questions, please contact Claire Sanderson ([Claire\\_Sanderson@cornyn.senate.gov](mailto:Claire_Sanderson@cornyn.senate.gov)) of my staff.

Sincerely,

  
JOHN CORNYN  
United States Senator

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Exhibit

**HON. LOUIE GOHMERT**  
FIRST DISTRICT, TEXAS



COMMITTEES:  
JUDICIARY  
NATURAL RESOURCES

WASHINGTON OFFICE:  
2243 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3035  
FAX: (202) 226-1230

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

June 26, 2018

Honorable Ajit Pai  
Chairman, Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Pai,

The purpose of this letter is to urge support for the Petition for Special Relief submitted by Panola County, Texas, regarding their delineation as an "orphan county." Subscribers in such "orphan" counties are unable to receive local programming from in-state DMA stations. Instead, they are serviced by out-of-state DMA stations and therefore cannot receive in-state local news, weather, sports, and educational programming. As a result, many of the residents of Panola County who are not serviced by cable companies have expressed concerns over being disconnected from their state and at risk of missing safety and emergency preparedness warnings.

The common-sense Petition is simply requesting that the television market of KLTV, Channel 7, ABC, Tyler/Longview, Texas, be modified to include Panola County in northeast Texas with respect to satellite TV provider DISH Network and satellite TV provider DIRECTV. The FCC has the authority to do this under the STELA Reauthorization Act of 2014, which specifically notes situations such as that which affects constituents of mine in Panola County. This is an issue that has lingered in Panola County for years, and with the recent growth seen in the area, it has made the issue all the more pronounced. It is absolutely vital that east Texans get east Texan news, news affects their everyday lives in uncountable ways.

Again, I strongly support this Petition. Far too often, common-sense solutions are bogged down in Washington bureaucracy. Under your astute leadership, I have faith that this simple Petition will not be one of those instances.

Sincerely,

Louie Gohmert  
Member of Congress

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Exhibit



1400 CONGRESS AVENUE  
ROOM GE.7  
AUSTIN, TEXAS 78701  
512.463.0101

100 INDEPENDENCE PLACE  
SUITE 301  
TYLER, TEXAS 75703  
903.581.1776

# THE TEXAS SENATE



## BRYAN HUGHES

COMMITTEES ON:  
STATE AFFAIRS, VICE CHAIR  
ADMINISTRATION  
CRIMINAL JUSTICE  
EDUCATION

June 25, 2018

Chairman Ajit Pai  
Federal Communications Commission  
445 12<sup>th</sup> Street SW,  
Washington, DC 20554

Dear Chairman Pai:

I write to express my strongest support for the petition to the FCC by Panola County, Texas. This petition, signed by Judge LeeAnn Jones, is in response to an issue that affects thousands of our constituents in Panola County and Senate District One.

Currently, customers of Direct TV and Dish Network in Panola County do not receive Texas programming. Panola County, which borders Louisiana to the East, is currently assigned an out-of-state market and, as such, is an "orphan county." Because of this, residents in the county cannot receive news, weather, sports, and more from in-state broadcast stations.

The people of Panola County have strong ties to their in-state neighboring communities to their west, including Longview (Gregg Co.) and Tyler (Smith Co.). It only makes sense that these communities should be getting their news and weather from those sources.

Per STELA, Panola County is petitioning the FCC for market modifications that would afford our residents the advantage of receiving local broadcast television stations. I wholeheartedly endorse their effort.

I hope you will favorably consider the petition by Panola County. If you have any questions, or if I can be of any help to you, please let me know.

Sincerely,

Bryan Hughes

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Exhibit

DISTRICT ONE

BOWIE, CAMP, CASS, FRANKLIN, GREGG, HARRISON, LAMAR, MARION, MORRIS, PANOLA, RED RIVER, RUSK, SMITH, TITUS, UPSHUR, WOOD COUNTIES



### List of Service by Email

The Station Manager's name and email address for all 4 Shreveport/Texarkana broadcast TV stations are as follows:

KTBS-ABC Station Manager: Randy Bain email: [rbain@ktbs.com](mailto:rbain@ktbs.com)

KTAL-NBC Station Manager: Donecia Pea email: [dpea@ktalnews.tv](mailto:dpea@ktalnews.tv)

KMSS-FOX Station Manager: Donecia Pea email: [dpea@ktalnews.tv](mailto:dpea@ktalnews.tv)

KSLA-CBS Station Manager: Joe Sciortino email: [jsciortino@ksla.com](mailto:jsciortino@ksla.com)

KFXK-FOX 51 Station Manager: Ward Huey email: [whuey@eastexas matters.com](mailto:whuey@eastexas matters.com)

KLTV-Channel 7 Station Manager: Pat Stacey email: [pstacey@kltv.com](mailto:pstacey@kltv.com)

PANOLA COUNTY County Judge: Lee Ann Jones email:  
[leeann.jones@co.panola.tx.us](mailto:leeann.jones@co.panola.tx.us)

### CERTIFICATION

I, Lee Ann Jones, certify that the foregoing Petition and Exhibits are being served on the parties listed by email at or on date of filing.

  
\_\_\_\_\_  
Lee Ann Jones, Panola County Judge