



Via ECFS

September 14, 2017

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

Re: *Ex Parte* Notice: GN Docket No. 16-142, *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*

Dear Ms. Dortch:

In an *ex parte* communication dated September 11, 2017, T-Mobile USA, Inc. ("T-Mobile") submitted a "White Paper" claiming major barriers to integrating ATSC 3.0 receivers into mobile devices. T-Mobile's White Paper also denigrates the potential for ATSC 3.0 in advanced alerting and claims the superiority of its current wireless network for delivering alerts. The AWARN Alliance respectfully submits these observations regarding T-Mobile's filing.

As an initial matter, T-Mobile's filing is irrelevant to this proceeding. AWARN, together with its joint petitioners, has repeatedly and expressly made clear that it does not seek a tuner mandate in fixed or mobile devices in its filings. Our position has not changed.

In addition to discussing purported challenges around a fictional mandate, T-Mobile also elected to assert that, "*ATSC 3.0 will not enhance public safety and emergency message delivery but instead would be an inferior platform compared to the well-established wireless network.*"¹

That assertion and T-Mobile's other comments about alerting stand in stark contrast to comments it filed in January of this year in another proceeding, the Alerting Paradigm NPRM.² T-Mobile, along with other players in the wireless industry, made clear the

¹ See *Notice of Ex Parte* Communication; *Authorizing Permissive Use of the "Next Generation" Broadcast Television Standard*, GN Docket No. 16-142, T-Mobile USA, Inc., September 11, 2017.

² See Reply Comments of T-Mobile, USA in *Notice of Proposed Rulemaking: In the Matters of Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket No. 15-94; Wireless Emergency Alerts PS Docket No. 15-91, January 9, 2017

limitations of wireless networks in their opposition to the Commission's goals to improve Wireless Emergency Alerts.

A view of the Table of Contents alone in T-Mobile's January filing speaks volumes about its position on needed improvements to wireless alerting:

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INTRODUCTION AND SUMMARY

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II. WEA IS NOT AN APPROPRIATE MEANS FOR TRANSMITTING EARTHQUAKE EARLY WARNING ALERTS

III. WEA IS NOT AN APPROPRIATE PLATFORM FOR MANY-TO-ONE COMMUNICATIONS

IV. THE RECORD DOES NOT SUPPORT MULTIMEDIA ALERTING

V. MULTILINGUAL SUPPORT BEYOND ENGLISH AND SPANISH

WARRANTS FURTHER DISCUSSION

VI. IT IS PREMATURE TO CONSIDER WEA 5G SUPPORT

VII. ACTION ON ALERT PRESERVATION IS NOT NEEDED

VIII. AN ANNUAL REPORTING REQUIREMENT IS NOT SUPPORTED BY THE RECORD

IX. THE COMMISSION SHOULD DEFER CONSIDERATION OF ALERT LOGGING STANDARDS

X. THE FCC SHOULD PROMOTE TECHNOLOGICAL FLEXIBILITY FOR WEA PARTICIPANTS

CONCLUSION ³

So, in its January filing, T-Mobile claims limitations in its network to prevent or delay adoption of features benchmarked by the Commission for alerting. In the September 11 White Paper, however, it concludes peremptorily that *"ATSC 3.0 therefore will be an inferior platform for emergency purposes compared to current wireless alerting technology..."*⁴

The reality is that ATSC 3.0 provides the building blocks to make the improvements to public alerting that T-Mobile says are not possible, realistic, or needed on *its* network. Comments filed by the AWARN Alliance outline this potential if consumer devices are equipped with ATSC 3.0 receivers:

³ See Reply Comments of T-Mobile in *Notice of Proposed Rulemaking: In the Matters of Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket No. 15-94; Wireless Emergency Alerts PS Docket No. 15-91

⁴ See "Complications Associated with ATSC 3.0 Implementation in Mobile Devices, Technical White Paper," T-Mobile USA, Inc., September 2017

“Advanced emergency alerting from the Advanced Warning and Response Network (AWARN) will be one of the major public benefits of the “Next Generation” broadcast television (Next Gen TV) transmission standard, also known as ATSC 3.0, if the Commission approves its proposed rules. AWARN will enable distribution of geo-targeted, rich media alerts simultaneously to an unlimited number of enabled fixed, mobile, and hand-held devices, indoors and outdoors, across an entire television broadcast contour. These advanced alerting capabilities, designed to meet a wide range of threats both new and old, will significantly improve the content, pervasiveness, accessibility, and reliability of America’s emergency alerting systems. AWARN capabilities will far exceed those available to the American public today.”⁵

T-Mobile also claims superior coverage of its wireless network in comparison to broadcast coverage. Recent painful events illustrate – again – the vital importance of broadcasting in public emergencies.

Based on the Commission’s September 11 *Communications Status Report for Areas Impacted by Hurricane Irma*, 3,973 or 27.4 percent of cell towers in the state of Florida were reported out of service. In heavily impacted Collier, Hendry, Highlands, Lee, Miami-Dade, and Monroe Counties, 50 percent or more of cell sites were reported out of service. In Monroe County, which includes the Florida Keys and falls inside the Miami-Ft. Lauderdale designated market area (DMA), over 80 percent of cell towers were reported out of service.⁶

However, a total of just four (4) television stations in the whole of Florida were reported out of service relating to Hurricane Irma over September 11-12.⁷ Only one TV station in the Miami-Ft. Lauderdale DMA was out of service on September 11, low-power station WVFW. (On September 12, another TV station in the DMA was reported out-of-service, WSBS in Key West.) Hurricane Irma demonstrates once again that broadcasting will continue its role as “first informer” during public emergencies, as it has for decades.

In summary, T-Mobile is offering the Commission the worst of both worlds. Not only is it opposing improvements to WEA’s established by the Commission, it also disparages the advantages of ATSC 3.0 advanced alerting before it is even launched. T-Mobile’s

⁵ See Comments of the AWARD Alliance in *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard, Notice of Proposed Rulemaking*, GN Docket No. 16-142, FCC 17-13 (Feb. 24, 2017) (NPRM).

⁶ Extracted from the Commission’s *Communications Status Report for Areas Impacted by Hurricane Irma*, September 11, 2017

⁷ These included the two reported on September 11 (WVFW and WZVN) and three on September 12 (WVFW – from the previous day – WSBS and WGCU). Extracted from *Communications Status Report for Areas Impacted by Hurricane Irma*, September 12, 2017

approach can be literally harmful to the public, including the future ability of people to avoid danger in public emergencies and prepare for, and recover from, disasters.

The Commission in its Alerting Paradigm NPRM called for a dialogue for creation of “a voluntary industry roadmap for further enhancing the capability of the nation’s alerting infrastructure...”⁸ In its comments in that proceeding, the Alliance embraced that dialogue and suggested a “holistic, multi-faceted approach to improving alerting” with a complementary “division of labor” among systems and stakeholders.⁹

As noted above, the AWARN Alliance is not calling for any mandates for advanced alerting. The Alliance itself is a completely voluntary coalition. We remain committed to working with the Commission, broadcasters, alert originators, consumer device manufacturers, and the wireless industry on implementation strategies for coordination among AWARN, the current Emergency Alert System, and Wireless Emergency Alerts.

The AWARN Alliance appreciates the opportunity to provide this additional information in this proceeding.

About the AWARN Alliance

The AWARN Alliance membership includes commercial and public broadcasters who reach over 85 percent of U.S. households, the National Association of Broadcasters, the Consumer Technology Association, LG Electronics, the Interactive Television Alliance, and a growing number of U.S. and Korean technology companies and service providers. An AWARN Advisory Committee of major alert originators has been formed to help guide the development of AWARN alerting.

Please contact the undersigned should you have any questions regarding this matter.

Sincerely,

/s/

John M. Lawson
Executive Director
AWARN Alliance
1602 Belle View Blvd #570
Alexandria VA 22307

⁸ See *Notice of Proposed Rulemaking: In the Matters of Amendment of Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, PS Docket No. 15-94; Wireless Emergency Alerts PS Docket No. 15-91 at ¶ 75.

⁹ See *Comments of the AWARN Alliance in Notice of Proposed Rulemaking: In the Matters of Amendment of Part 11 of the Commission’s Rules Regarding the Emergency Alert System* PS Docket No. 15-94; Wireless Emergency Alerts PS Docket No. 15-91 (filed June 8, 2016)