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September 22, 2017

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: GN Docket No. 16-142**

Dear Ms. Dortch:

On September 20, 2017, Rick Chessen, Michael Schooler, Andy Scott and Diane Burstein, all of NCTA - The Internet & Television Association, met with the following FCC staff: from the Media Bureau, Michelle Carey, Martha Heller, Steven Broeckaert, Evan Baranoff, Kim Matthews, Kathy Berthot, John Gabrysch, and Lindsey Meyers, and from the Office of Engineering & Technology, Mark Colombo. Also on September 20, 2017, Rick Chessen and Diane Burstein met with Holly Saurer, Acting Legal Advisor to Commissioner Rosenworcel.

During our meetings, we discussed the need for the Commission to ensure that the broadcasters' roll-out of ATSC 3.0 does not disrupt consumers or impose costs and burdens on cable operators. In particular, we reiterated our position that the Commission should require broadcasters to continue to transmit a robust ATSC 1.0 signal during the transition period to ATSC 3.0. Rather than end certain key transition requirements after an arbitrary three-year period, as recently proposed by NAB in its *ex parte*,<sup>1</sup> the Commission must continue to require simulcasting until it determines that conditions warrant allowing a broadcaster to no longer provide an ATSC 1.0 signal.

During that transition period, among other things, we reiterated that the ATSC 1.0 transmission must continue to serve the same coverage area and community of license as it did prior to the transition to ATSC 3.0. In addition, the ATSC 1.0 simulcast signal should be required to transmit the same format as before the launch of the companion ATSC 3.0 signal, with the same programming except where technically infeasible due to the nature of ATSC 3.0. We also noted the importance of the Commission including not only the A/321 standard in its rules, but also A/322, which is critical for ensuring interference-free delivery of an ATSC 3.0 signal.

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<sup>1</sup> See *Ex Parte* Letter from Patrick McFadden Associate General Counsel, National Association of Broadcasters, to Marlene H. Dortch, Sept. 8, 2017, p. 4.

Additionally, we described the status of on-going work of the relevant technical specialist group within the ATSC developing recommended practices for the conversion of ATSC 3.0 services into ATSC 1.0 services. We noted that work has not begun on the issue of the technical requirements for MVPDs to retransmit an ATSC 3.0 signal in a native format.

Finally, we discussed why, in these unique circumstances, and especially while transmission of an ATSC 3.0 signal is to be completely voluntary, there is no basis for allowing broadcasters to use access to an ATSC 1.0 signal to secure new carriage rights for ATSC 3.0 signals in a manner that imposes costs and hardships on MVPDs and their customers.

Respectfully submitted,

**/s/ Rick Chessen**

Rick Chessen

cc: Michelle Carey  
Martha Heller  
Steven Broeckaert  
Evan Baranoff  
Kim Matthews  
Kathy Berthot  
John Gabrysch  
Lindsey Meyers  
Mark Colombo  
Holly Saurer