

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

In the Matter of)	
)	
LPTV, TV Translator, and FM Broadcast Station)	MB Docket No. 18-214
Reimbursement)	
)	
Expanding the Economic and Innovation)	GN Docket No. 12-268
Opportunities of Spectrum Through Incentive)	
Auctions)	

**COMMENTS OF AMERICA’S PUBLIC TELEVISION STATIONS,
THE CORPORATION FOR PUBLIC BROADCASTING, AND
THE PUBLIC BROADCASTING SERVICE**

America’s Public Television Stations (“APTS”),¹ the Corporation for Public Broadcasting (“CPB”),² and the Public Broadcasting Service (“PBS”)³ (collectively, “PTV”) welcome this opportunity to submit comments in response to the Federal Communications Commission’s (the “Commission”) Notice of Proposed Rulemaking and Order in the above-captioned proceeding (the “Notice”).⁴

¹ APTS is a non-profit organization whose membership comprises the licensees of nearly all of the nation’s CPB-qualified noncommercial educational television stations. The APTS mission is to support the continued growth and development of a strong and financially sound noncommercial television service for the American public.

² CPB is a private, non-profit corporation created and authorized by the Public Broadcasting Act of 1967 to facilitate and promote a national system of public telecommunications. Pursuant to its authority, CPB has provided millions of dollars in grant monies for support and development of public broadcasting stations and programming.

³ PBS, with over 330 member stations across the country, offers all Americans the opportunity to explore new ideas and new worlds through television and online content. Each month, PBS reaches nearly 100 million people through television and nearly 30 million people online, inviting them to experience the worlds of science, history, nature, and public affairs; to hear diverse viewpoints; and to take front row seats to world-class drama and performances.

⁴ FCC Notice of Proposed Rulemaking and Order, FCC 18-113, *In the Matter of LPTV, TV Translator, and FM Broadcast Station Reimbursement*, MB Docket No. 18-214; *Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions*, GN Docket No. 12-268 (rel. August 3, 2018) [hereinafter “NPRM” and “Order”].

In the Notice, the Commission proposes rules to implement Congress’s directives contained in the Reimbursement Expansion Act (REA),⁵ which: (1) amends Section 6403 of the Spectrum Act to expand the list of entities eligible to be reimbursed for auction-related expenses to include LPTV, TV translator, and FM broadcast stations, and to provide additional funds to the Reimbursement Fund to be used for this purpose; (2) increases the funds available to reimburse full power and Class A stations and MVPDs; and (3) provides funds to the Commission for consumer education.

In the Order, the Commission notes that “the REA provides that at least \$50 million from the funds appropriated to the Reimbursement Fund will be available to the Commission to make payments to fund the Commission’s efforts to educate consumers about the reorganization of broadcast television spectrum.”⁶ PTV emphasizes the importance of recognizing that this language differs from the other spending directives in REA, in that this language directs the Commission to spend the entire \$50 million rather than specifying “up to” a certain amount. PTV stresses this point so there is no confusion with respect to the Commission’s interpretation of its directive and the legislators’ intent. None of these consumer education expenses would have to be borne by stations if the spectrum auction and repacking had not happened, while only a small minority of stations actually benefited from the auction (in the case of public television, the number was 31 local stations in the auction, as compared to 149 public television stations that have been involuntarily repacked). Congress determined that at least this full amount of funding is necessary to inform the public, and PTV wholeheartedly agrees. While stations that moved to new frequencies in advance of

⁵ *Consolidated Appropriations Act, 2018*, Pub. L. 115-141, at Division E, Title V, § 511, 132 Stat. 348 (2018) (codified at 47 U.S.C. § 1452(j)-(n)) (“Reimbursement Expansion Act” or “REA”).

⁶ Order at ¶ 94. The actual REA language includes “payments solely for the purposes of consumer education relating to the reorganization of broadcast television spectrum under the subsection (b), including \$50,000,000 for this purpose...”

phase one have done an exceptional job of informing the public, their success and the burden that they have borne should not be assumed or applied to all remaining stations, and the capacity of such stations is not indicative of the existing capacity at stations across the country to bear unfunded consumer education expenses. PTV urges the Commission to learn from the experiences of stations that have completed their relocations by determining best practices and fully funding the implementation of those practices for all future phases of the repacking process.

In anticipating consumer education needs in the repacking process, the Commission states, “We anticipate, among other initiatives, hosting a dedicated consumer service call center to provide consumers technical support and assistance on such matters as rescanning and other means to resolve potential reception issues. We also intend to perform targeted outreach to specific communities about rescanning, and, where appropriate, we may use local media or other outreach to disseminate rescanning information. Consumer education funding could also be used in developing additional online resources to support consumers.”⁷ PTV appreciates the Commission’s recognition of the unique nature of various communities and the importance of using local media in working with their communities. Some public television stations have accomplished their repacking in advance of phase one, and others have been through a similar consumer education process when implementing channel sharing arrangements after the auction. PTV asserts that valuable lessons can be learned by the Commission through these stations’ experiences.

One lesson that is crystal clear from these stations’ consumer education work is the importance of well-staffed, robust consumer call centers. Fortunately, public television stations are experts in interactions with their communities, and call centers are one established aspect of

⁷ *Id.*

those relationships. In a presentation to the Commission's Consumer Advisory Committee last summer, Bohdan Zachary, General Manager of Milwaukee PBS, stated that Milwaukee PBS trained station staff to assist viewers in rescanning and additional consumer requests, and its call center had an average of seven staff and two "roving" engineers available during the channel switch over to answer all calls. On average, each call lasted approximately 30 minutes, particularly to allow for rescanning time. Of interest, Milwaukee PBS actually assisted its commercial television market neighbors with their calls. The station spent at a minimum \$27,000 in staff training and staff time in answering consumer calls. This expenditure does not include other station consumer education expenses, such as special notices to viewers, webpage work, social media time, printing costs, creation of promotional on-air announcements, etc.

PTV urges the Commission to work with experienced stations, such as Milwaukee PBS, on lessons learned, and ensure that any expenditures of the consumer education funding are used wisely by ensuring input from local stations, particularly those that have transitioned to new channels. Public television stations could serve as models to others in their markets and may even be able to assist in other stations' consumer call center outreach if sufficient funding were provided to the public stations. Other local efforts suggested by repacked public stations, such as having a database of available antennas at local retail outlets, would be extremely helpful to consumers and to the stations assisting those viewers in their calls.

The Commission itself noted the importance of working with the impacted local stations on consumer education efforts around repacking. The Commission stated, "In all our activities, we will coordinate closely with industry stakeholders to ensure that our consumer education efforts are complementary to, and not duplicative of, industry efforts. In so doing, we will guard against unnecessary or wasteful spending. We welcome input from consumers and

industry on other ways we can best use the funding to help mitigate disruption by consumers during the transition period.”⁸ PTV urges the Commission to fulfill this intent and, in particular, to work with local public television stations, who are valued and trusted institutions in their communities.

Conclusion

While the Commission did not include the analysis of best practices in consumer education in its NPRM, the Commission did recognize the critical importance of effective consumer education in its Order. PTV stresses the importance of the Commission following Congressional intent and fully spending the funding established for consumer education in the broadcast repacking. Additionally, PTV encourages the Commission to work with stations, particularly public television stations, that have already completed channel changes and who are experienced in consumer education efforts. Public television stations are highly connected to their communities, relied upon for educational and informational assistance, and trusted by their communities.

⁸ Id.

Respectfully submitted,

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