



Amanda E. Potter  
Assistant Vice President -  
Senior Legal Counsel

AT&T Services, Inc.  
1120 20<sup>th</sup> Street, NW  
Suite 1000  
Washington, DC 20036

Phone: 202.457.2103  
E-mail: amanda.potter@att.com

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**VIA ECFS**

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

**Re: *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, GN Docket No. 16-142**

Dear Ms. Dortch:

On September 19, 2017, representatives of AT&T<sup>1</sup> participated in the *ex parte* presentation made by the American Television Alliance to Commission staff regarding the Commission’s ongoing proceeding in the above-referenced docket.<sup>2</sup> During our meeting, participants discussed the amount of notice that broadcast stations should be required to provide to MVPDs prior to transitioning to ATSC 3.0 transmissions.<sup>3</sup> In response to questions posed to AT&T during the meeting, AT&T is writing separately to provide additional information regarding the burdens associated with the ATSC 3.0 transition, particularly during the ongoing repack process, and the corresponding need for ample advance notice from broadcasters.

Without question, the relocation of broadcast stations’ ATSC 1.0 signals will result in significant and costly burdens for nationwide satellite distributors such as AT&T. As AT&T explained in its opening comments, AT&T receives broadcast transmissions at more than 200 remote locations throughout the country.<sup>4</sup> Each local receive facility (“LRF”) typically is located about a five-hour drive from another such facility,<sup>5</sup> and more than 90 percent of the locations are unmanned. Accordingly, when a station changes transmitter locations, any physical changes at the LRF necessitated by the relocation require significant time and travel by AT&T’s limited number of field engineers. When the purchase and installation of a new receive antenna are

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<sup>1</sup> AT&T Services, Inc. submits this letter on behalf of its affiliates that are multichannel video programming distributors (“MVPDs”), including DIRECTV (collectively, “AT&T”).

<sup>2</sup> See Letter of Michael Nilsson, Counsel to the American Television Alliance, to Marlene H. Dortch, Secretary, FCC, GN Docket No. 16-142 (filed Sept. 21, 2017) (“ATVA Sept. 19 ATSC 3.0 *Ex Parte* Notice”). Commission staff who attended the meeting were named in the *ex parte* notice and are identified, separately, in the courtesy copy list provided below.

<sup>3</sup> See *id.* at 12 (“Because MVPDs may be attempting to accommodate repacking stations, channel-sharing stations, and ATSC 3.0 simulcast simultaneously, a longer notice period is appropriate here than in the auction, or channel sharing contexts, or as proposed in the *Notice*.” (citations omitted)).

<sup>4</sup> Comments of AT&T, GN Docket No. 16-142, at 20 (filed May 9, 2017) (“AT&T ATSC 3.0 Comments”).

<sup>5</sup> See *id.* Significantly, the five-hour estimate assumes that the field engineer is traveling to the next closest LRF (*i.e.*, in an adjacent designated market area (“DMA”)). If a field engineer is required to drive between the two furthest LRFs in his/her region, the drive easily could be ten or more hours.

required, time and travel of AT&T's tower crews also are required, which adds to the already costly expense associated with the signal relocation.

AT&T expects that ATSC 1.0 signal relocations will, in fact, necessitate site visits by its field engineers and tower crews in many cases. In particular, whenever an ATSC 1.0 signal relocation involves the use of a new or different AT&T receive antenna, such relocation requires a physical change that necessitates a site visit by an AT&T field engineer *in all cases*, notwithstanding AT&T's existing ability to receive the proposed ATSC 1.0 host station's over-the-air signal. Likewise, when a station's ATSC 1.0 signal switches frequency bands (UHF to VHF, or vice versa), such a change requires a site visit in every instance. Separately, as noted above, when AT&T is required to purchase and install a new antenna, AT&T must deploy a tower crew (in addition to a field engineer). There are several reasons that an ATSC 1.0 signal relocation would necessitate the installation of a new antenna, including, but not limited to, when: (1) a station switches bands; and/or (2) the addition of another signal would cause the antenna to exceed acceptable capacity levels.

Given the substantial burdens associated with signal relocations, the need for adequate notice from, and coordination with, transitioning broadcast stations is clear. AT&T thus has proposed that the Commission require a transitioning station to provide affected MVPDs with 90 days' advance notice of the station's plans to transition to ATSC 3.0 and begin simulcasting from a new location—the same notice period adopted by the Commission in the *Post-Auction Channel Sharing Order*.<sup>6</sup> Likewise, AT&T has proposed that the minimum contents of broadcasters' transition notices mirror the notice requirements adopted in the *Post-Auction Channel Sharing Order*.<sup>7</sup>

The additional burdens associated with accommodating ATSC 1.0 signal relocations during the repack process warrant additional lead time for MVPDs, particularly for nationwide satellite distributors like AT&T. Indeed, the administrative burden of managing signal relocations during this time cannot be overstated,<sup>8</sup> given the potential need to coordinate among repacking stations, channel sharing stations, and ATSC 3.0 transition stations *simultaneously and across the nation*.<sup>9</sup> AT&T, for example, will be required to coordinate the channel reassignments of approximately 1,000 local stations during the repack to ensure that its DIRECTV and U-verse networks continue to receive, transcode, and retransmit broadcast signals seamlessly to customers. Stations that enter into channel sharing agreements pursuant to the *Post-Auction Channel Sharing Order* will impose a wholly separate burden. Needless to say, a broadcast station's decision to transition to ATSC 3.0 at the same time will only add to the potential complications of the already complicated repack process, thus threatening to stretch AT&T's engineering and network management resources beyond their limits. AT&T's proposal to require a mere additional 30 days' notice (for a total notice period of 120 days) during the repack thus is eminently reasonable. Moreover, requiring broadcast stations to provide MVPDs

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<sup>6</sup> See *Expanding the Economic Innovation Opportunities of Spectrum Through Incentive Auctions; Amendment of Parts 73 and 74 of the Commission's Rules for Digital Low Power Television Translator Stations; Channel Sharing by Full power and Class A Stations Outside the Broadcast Television Spectrum Incentive Auction Context*, Report and Order, 32 FCC Rcd 2637 ¶ 51 (2017) ("*Post-Auction Channel Sharing Order*"); AT&T ATSC 3.0 Comments at 23.

<sup>7</sup> See AT&T ATSC 3.0 Comments at 23-24.

<sup>8</sup> See *id.* at 20.

<sup>9</sup> See ATVA Sept. 19 ATSC 3.0 *Ex Parte* Notice at 12.

with additional lead time during the repack not only will help MVPDs to better allocate and deploy finite human resources, but also will help to ensure that broadcasters devote appropriate planning and logistical teams of their own during the repack.

Significantly, broadcasters have offered no explanation of why MVPDs somehow would require *less* notice for signal relocations in the context of the ATSC 3.0 transition than the 90-day period adopted in the *Post-Auction Channel Sharing Order*. Nor have they alleged, much less explained, that providing 90 days' advance notice to MVPDs (with an additional 30 days' notice during the repack) is not feasible. Thus, in the face of evidence of the substantial burdens that will fall on MVPDs—and nationwide satellite distributors, in particular—to accommodate broadcasters' ATSC 1.0 signal relocations, AT&T urges the Commission to adopt rules regarding MVPD notice for the ATSC 3.0 transition as set forth herein and in AT&T's comments.<sup>10</sup>

Should you have any questions regarding the foregoing, please contact the undersigned.

Respectfully submitted,

/s/ *Amanda E. Potter*

Amanda E. Potter

cc: Michelle Carey  
Nancy Beth Murphy  
Martha Heller  
Steven Broeckaert  
Evan Baranoff  
Kim Matthews  
Susan Aaron  
Kathy Berthot

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<sup>10</sup> See AT&T ATSC 3.0 Comments at 21-24.