



November 8, 2017

VIA ELECTRONIC FILING

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

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

Dear Ms. Dortch,

CTIA respectfully submits this ex parte in response to the Commission’s Draft Report and Order and Further Notice of Proposed Rulemaking in the above-captioned docket.¹ In the Draft Order, the Commission determines to allow broadcasters to use the “Next Generation” broadcast television transmission standard, also referred to as ATSC 3.0, on a voluntary, market-driven basis. CTIA supports innovation in the broadcast industry and our interest in this proceeding is limited to any potential impact on the timing and cost of the 600 MHz transition and a device mandate.

The Commission must ensure that the ATSC 3.0 transition does not delay or increase the cost of the post-incentive auction repacking process. The incentive auction was a win-win-win for broadcasters, wireless providers, and American consumers alike, freeing up 84 MHz of flexible use spectrum in the 600 MHz band for wireless broadband and generating \$7.3 billion for federal deficit reduction. Repurposing the spectrum for wireless broadband will also create jobs, stimulate economic growth, and enhance Americans’ mobile-first lifestyle across the nation. But that job creation, economic growth, and consumer benefit are dependent on the timely availability of the spectrum purchased in the incentive auction.

CTIA applauds the Commission’s commitment in the Draft Order to “monitor the filing of license applications filed by stations that seek to deploy ATSC 3.0 and ... ensure this

¹ *Authorizing Permissive Use of the “Next Generation” Broadcast Television Standard*, Draft Report and Order and Further Notice of Proposed Rulemaking, FCC-CIRC1711-08, GN Docket No. 16-142 (rel. Oct. 26, 2017) (“Draft Order”).



voluntary transition does not negatively impact or delay the mandatory post-incentive auction transition.”²

CTIA also supports the Commission’s determination that any costs associated with ATSC 3.0 capability will not be reimbursable from the TV Broadcaster Relocation Fund during the post-incentive auction transition.³ These commitments will help to ensure that American mobile consumers have access to the spectrum repurposed in the incentive-auction as expeditiously as possible.

In addition, CTIA supports the Commission’s determination in the Draft Order that incorporation of ATSC 3.0 capabilities into smartphones and other mobile devices should be driven by consumer demand, and not a regulatory mandate.⁴ Inclusion of ATSC 3.0 capabilities would necessitate device and network modifications that could hinder the existing and future voice, data, and public safety capabilities of mobile wireless services and devices. As the Draft Order recognizes, the relative costs and benefits of such trade-offs are best determined by consumers and market forces, not government dictates.

² *Id.* at ¶ 93. CTIA also appreciates the National Association of Broadcasters’ continued assurances that the ATSC 3.0 transition will not delay the post-incentive auction repacking timeline or add costs. See Reply Comments of the National Association of Broadcasters, GN Docket No. 16-142, at 7-9 (filed June 8, 2017) (“Next Gen Deployment Will Not Extend the Timing or Costs of Repacking.”); Letter from Rick Kaplan, General Counsel and Executive Vice President, National Association of Broadcasters, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 16-142 (filed Aug. 4, 2016) (“[T]here should be no impact on the repacking fund caused by performing the upgrade to Next Generation TV....”); Letter from Patrick McFadden, Associate General Counsel, National Association of Broadcasters, to Marlene H. Dortch, Secretary, Federal Communications Commission, GN Docket No. 16-142, at 3 (filed June 3, 2016) (“Commission approval of Next Generation TV will not delay [the post-incentive auction] transition or add cost.”).

³ Draft Order at ¶ 93 (“[B]roadcasters will be allowed to seek reimbursement for equipment that facilitates ATSC 3.0 capability..., but any costs associated with the ATSC 3.0 capability will not be reimbursable (i.e., broadcasters will be responsible for the difference between the cost of the ATSC 3.0-capable equipment and the equipment needed to broadcast using the ATSC 1.0 standard).”).

⁴ *Id.* at ¶ 83.



Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Scott K. Bergmann

Scott K. Bergmann

Vice President, Regulatory Affairs