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

**Re: MB Docket No. 16-306; GN Docket No. 12-268
Notice of Ex Parte Presentation**

Dear Ms. Dortch:

On October 31, 2018, Andy Whiteside and Keith Pelletier of Dielectric, LLC, Don Doty of Stainless LLC, and Owen Garland and Paul Fitts of Vertical Technology Services, LLC (collectively, the “Broadcast Tower Representatives”), along with the undersigned counsel to the Broadcast Tower Representatives and Peter Starke of American Tower Corporation (“ATC”) and ATC’s counsel Jonathan Cohen, met with Jean Kiddoo, Hillary DeNigro, and Charles Eberle of the Incentive Auction Task Force, Barbara Kreisman, Pam Gallant and Evan Morris of the Media Bureau, and Mark Colombo of the Office of Engineering and Technology. The parties discussed the status of tower and antenna activities related to the post-broadcast incentive auction transition process or “repack.”

The Broadcast Tower Representatives presented what they consider the “early warning signs” of potential delays in the repack process. These signs include unforeseen site failures and LPTV displacements requiring the pulling of equipment and crews, poor weather conditions delaying tower work by months, stations conducting their latter-phase transitions earlier than required by the Commission, and unforeseen structural and permitting delays. Delays resulting from these circumstances persist despite daily contact with rigging companies to coordinate shipments and request last-minute parts in an effort to mitigate any interruption in repack operations. ATC presented a status report on the repack work it is doing to support TV stations located on its owned towers.

Looking ahead, the Broadcast Tower Representatives expressed their collective concern regarding the extreme shortage of competent, safe crews available to install main antennas in



accordance with the Commission's repack schedule. The Broadcast Tower Representatives explained that it is not feasible to expect a significant arrival of competent crews able to work on towers at or above 1,000 feet. It is also certainly too late to expect crews to be hired and trained in time to meet the expected influx of repack work in 2019 – especially given the priority goal of ensuring that these crews work in the safest possible environment. In short, the Broadcast Tower Representatives believe that they are witnessing the effects of an unrealistic expectation of what the repacking of 987 stations, with associated LPTV displacements and FM accommodations, entails. The factors cited above have resulted in demands on the rigging community that simply cannot be met.

The Broadcast Tower Representatives and ATC closed the meeting with the offer to work closely with the Commission, the incentive auction winners, and the broadcast industry to develop a solution to the issues addressed above.

Copies of the attachment to this letter, which provide more details on the issues raised by the Broadcast Tower Representatives, were distributed to the Commission during the meeting. This letter is being filed electronically via the Electronic Comment Filing System in the referenced proceedings.

Respectfully submitted,

/s/ Paul A. Cicelski
Paul A. Cicelski

Attachments

cc: Jean Kiddoo
Hillary DeNigro
Charles Eberle
Barbara Kreisman
Pam Gallant
Evan Morris
Mark Colombo

The background of the slide is a blue-tinted image of a radio tower. The tower is a lattice structure with various antennas and equipment. A large, semi-transparent blue oval is overlaid on the left side of the tower. Faint white numbers "120", "150", and "180" are visible on the tower's structure. The title text is centered over the right side of the tower.

Repack Status Tower and Antenna Activities

October 31, 2018



Attendees



- Andy Whiteside, Dielectric
- Keith Pelletier, Dielectric
- Paul Cicelski, Lerman Senter
- Don Doty, Stainless
- Pete Starke, ATC
- Jonathan Cohen, WBK/ATC
- Owen Garland, Vertical Technology Services
- Paul Fitts, Vertical Technology Services

View from Dielectric - 1



- Total repack station count in Phase 0 and 1: 153
 - Does not include displacements
- Known “completed” status as of 10/26/18: 119
 - “completed” includes Aux install, Main still to be installed
- Remaining to be completed by 11/30/18: 34
- Phase 2 station count (no displacements): 97
- Many Phase 1 sites experienced delays, impacting start dates on Phase 2 and later Phases
- Winter already hitting broad swaths of country
- We have serious concerns that, before the end of Phase 2, 4/12/19, the delays will increase significantly, leading to missed phase deadlines

View from Dielectric - 2



- As of 10/16/18, Antennas shipped: 248
 - Includes 50 displaced LP and ~ 50 Aux antennas
 - Includes 30 in storage for customers, 19 Phase 1
 - As of 10/16/18, Antenna orders in process: 300
 - Includes 10 displaced LP and ~45 Aux antennas
 - The fundamental problem is that, even in the early phases, main antennas and transmission line cannot be installed to keep pace with the repack timeline, or the production output from one company
 - Why is that?
-

View from Dielectric - 3



- From Dielectric's vantage point:
 - Unforeseen site failures pulling equipment and crews
 - Damage to repack equipment shipped to site
 - LP Displacements pulling resources
 - Poor weather delaying tower work by months
 - Progressive stations doing later phase work early
 - Unforeseen structural and/or permitting delays

View from Dielectric - 3



- In summary, we believe we are witnessing the effects of an unrealistic expectation of the realities of tower work to repack 987 stations and LP Displacements
- All the factors above, and more, ultimately result in demands on the rigging community which cannot be met
- Dielectric believes there are potential solutions to address the situation but first we should hear from the other attendees

View from ATC - 1



- 15 Phase 1 repack projects on ATC towers (13 stations)
 - 8 projects completed
 - 2 in process
 - 5 remaining
- 14 Phase 1 projects will be completed by 11/30/18
- 1 Phase 1 project will not be completed - Station installed an interim antenna
- Only 1 complex tower in Phase 1
- Minor delays for projects
- 24 Phase 2 repack projects on ATC towers (39 stations)
 - 14 projects with no mods
 - 2 projects with minor mods
 - 8 projects complex with major mods/multiple antennas
 - Tower work for complex projects will challenge engineering, fabrication and rigging resources

View from Stainless - 1



- Phase 0/1 repack
 - 12 completed:
 - 4 in process:
 - 6 to complete by 11/30:
- 4 Repack jobs completed ahead of Phase
- 10 Repack jobs turned down
- Delays – Weather and significant mods
- Impact of phase advances - Minimal
- Survey of 10 crews salient points

View from Precision - 1



- Phase 0/1 repack
 - 9 completed:
 - 3 in process:
 - 7 to complete by 11/30:
- 10 repack jobs turned down
- Sioux City planned completion August
 - 2 months delay due to weather

View from Coast to Coast - 1



- Phase 0/1 repack
 - 7 completed:
 - 1 in process:
 - 0 to complete by 11/30:
- Multiple repack jobs turned down
- Difficult to commit to start dates
- Advising customers to order Auxiliary antennas because quicker install, return for Main in 202?
- Very concerned about safety
- Sees crews jumping back in to broadcast industry, using outdated equipment

View from VTS - 1



- Phase 0/1 repack
 - 0 projects booked
- Phase 4 repack
 - 4 projects complete by 11/30/18
- 6 more Phase 4 jobs in progress, completion 7/19
- 5 repack jobs turned down
- Delays due to weather, materials shortages, permitting
 - 2 months behind schedule
 - Expect weather delays to increase

View from Tower King - 1



- Phase 0/1 repack
 - 15 completed:
 - 3 in process:
 - 2 to complete by 11/30:
- 4 repack jobs turned down
- Delays due to weather – approaching 4 weeks
- Schedule/Phase changes very disruptive

How do we address the problem - 1



- Proposed solutions
 - Add more crews and equipment – how many?
 - Extend repack timeline to fit inside the expanded reimbursement window of the Ray Baum Act – July 2023 - but work with Auction winners (T-Mobile) to facilitate their build out needs
 - Keep repack timeline but shift all broadcasters to Aux facilities (probably mostly line and antenna) which are quicker to install, return later for main antenna install within reimbursement window
 - Unlikely to be popular with stations because of coverage loss