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

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Federal Communications Commission
Office of Secretary

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| In the Matter of | ) | |
| | ) | |
| Amendment of Part 73 of | ) | |
| the Commission's Rules To More | ) | **MM Docket No. 96-62** |
| Effectively Resolve Broadcast | ) | |
| Blanketing Interference, Including | ) | |
| Interference to Consumer Electronics | ) | |
| and Other Communications Devices | ) | |

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To: The Commission - **Mail Stop 1170**

**COMMENTS OF THE ASSOCIATION OF THE ASSOCIATION OF AMERICA'S PUBLIC TELEVISION STATIONS AND THE PUBLIC BROADCASTING SERVICE**

## Introduction and Summary

1. The Association of America's Public Television Stations ("APTS") and the Public Broadcasting Service ("PBS") hereby submit these comments in response to the Commission's *Notice of Proposed Rule Making* ("*Notice*") in the above-captioned proceeding, FCC 96-124, released April 26, 1996. APTS and PBS are nonprofit organizations whose members include nearly all of the nation's 179 public television station licensees. APTS engages in planning and research activities on behalf of its members, as well as representing them in legislative and policy matters before the Commission, Congress, and the Executive Branch. PBS provides program distribution and other services to its members and frequently speaks for the public television community in matters relating to TV technology.

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2. Television licensees currently undertake some responsibility for resolving blanketing problems.[1/] However, if the Commission codifies this responsibility in new regulations, it should establish guidelines to ensure that the obligations of licensees are both reasonable and clearly understood. Specifically, the Commission should set a time limit on how long licensee obligations remain in force and place some burden on manufacturers of equipment susceptible to blanketing interference to incorporate interference immunity into their equipment design. Any obligation beyond providing standard written information in response to reasonable complaints should expire one year after facilities are first operated under program test authority and should be limited to fixed receivers operated at permanent locations within the blanketing area. Further, licensees should not be responsible for resolving blanketing problems involving unusual, mobile, or defective equipment or telephones. Finally, any new rules adopted should be limited to the NTSC environment, as the nature and scope of blanketing problems, if any, in a future digital television world are as yet unknown.

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1/ Most public television stations operate in the UHF band, where the highest power levels of any broadcast service are permitted. While operation at high power might normally suggest that blanketing would be a greater problem for public television than some other groups, more public television stations have reported to APTS as having been the victims of blanketing interference rather than having caused it. Blanketing is affected by many factors other than power. A tower location away from populated areas, an antenna at a great height above ground, and an antenna pattern with a narrow vertical aperture all help to minimize the likelihood of blanketing at ground level near a broadcast tower.

**A Licensee's Obligations Should be Clearly Defined in Area and Scope.**

3. If formal blanketing rules are imposed on television broadcasters, a licensee's obligations should be clearly defined. Only in the most severe circumstances should a licensee be required to dispatch a technician to a home in response to a blanketing complaint, as such visits are often unnecessary in light of well-known, simple self-help techniques.[2/] Personnel are among the most limited resources of public television stations, making it especially difficult for public stations to provide field assistance. A licensee may be required to respond to a reasonably articulated complaint from a location within its blanketing contour within 30 days; but the required initial response should be to provide information, such as how to obtain the Commission's "Interference Handbook",[3/] how to reorient or relocate an electronic device to reduce interference, or where to purchase simple remedial devices such as filters. It is important that any rules also recognize that the consumer has a burden to do his or her part in taking recommended steps to relieve or reduce blanketing problems.

4. At locations outside the blanketing contour, reasonably good quality electronic equipment should not be susceptible to interference from an undesired broadcast signal. Therefore, a station's obligation should be limited to providing standard written material with suggestions about self-help techniques and sources of additional information. To place any further obligation on broadcasters outside the blanketing contour will only encourage the

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2/ If a station does dispatch a technician, who is then refused entry to the complainant's home, the licensee's obligation should be considered satisfied by virtue of the attempted visit.

3/ Bulletin CIB-2, May, 1995.

continued manufacture of poorly designed equipment that is more susceptible to interference than is appropriate in today's environment of intensive and growing radiofrequency ("RF") activity.

**A Licensee's Obligations Should Not Be Indefinite in Time and Should Not Include Resolving Problems for Transients.**

5. Serious blanketing problems will manifest themselves immediately after a station first begins broadcasting. Licensees should recognize and deal with these problems, but there must be a time when their obligations come to a close. One year, or even less, after a station first begins operation from a specific site is adequate for problems to surface and be addressed. To keep any obligation open past one year other than distributing standard information will simply invite the public to look to broadcasters to fix all their electronic problems indefinitely, whether caused by the broadcaster's signal or not.

6. Moreover, the Commission should apply the same basic "first in time" principle to blanketing that it does in most other interference situations. In the event of conflict, the latter party to come on the scene should be responsible for its resolution. Under this principle, neither new permanent arrivals in a neighborhood nor transients should be given legal rights under blanketing rules. It is not reasonable for new arrivals to ignore the environment into which they are moving or for transients to have significant expectations about their ability to use electronic equipment wherever they go outside their home. If a broadcaster is obligated to assist all new arrivals and transients, its responsibilities will never

end, which may result in forcing the broadcaster to operate a "service department" to answer ongoing calls.[4/]

**Unusual or Mobile Equipment and Telephones Should Not Be Protected.**

7. There is no need to require broadcasters to become service organizations for unusually sensitive equipment, such as receivers using high-gain antennas or those designed to pick up very weak signals. Users of such equipment are normally sophisticated enough to understand interference problems and to purchase equipment that is resistant to interference or to take other protective measures. It is especially important that the Commission not encourage the manufacture and marketing of equipment that does not incorporate reasonable interference-avoidance techniques, including proper shielding and grounding. Although the Commission may not wish to become involved with prescribing technical standards for electronic equipment other than transmitters, it nevertheless should not shift the burden of dealing with poor equipment design from manufacturers to broadcasters.

8. Similarly, the existing practice of denying protection to mobile receivers should be retained. One of the most common techniques for remedying blanketing problems is to re-orient a device physically or to relocate it within the home to a place where RF energy levels are lower or the circuitry in the device does not respond as much to undesired RF. These remedies can be applied only to fixed equipment, as mobile equipment continually

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4/ This is not to say that owners of buildings that accommodate transients should not be able to call on a broadcaster for assistance. A university buildings and grounds department or a hotel owner could consult with a broadcaster and receive advice which would then allow the building owner to assist transient users who later occupy its premises.

moves about from one environment to another in an uncontrolled and unpredictable manner. Because of the vagaries of mobile operation, it should be the responsibility of the mobile user to find suitable places to operate his or her equipment.

9. Finally, there is no need to obligate broadcasters to resolve blanketing problems involving telephones, because the Commission has already discovered that it is possible to manufacture telephones for sale at consumer prices that can operate without interference in the presence of high RF levels.[5/] All manufacturers of telephones and other devices not intended to receive RF signals should be encouraged to incorporate design features to minimize susceptibility to interference. This conduct will be discouraged if the Commission forces broadcasters to become involved with filters or chokes for telephone wires and power cords to make up for deficiencies in electronic equipment design.[6/]

**Conclusion**

10. In sum, APTS and PBS urge the Commission not to address what appears to be a small or modest problem with remedial techniques suited for large problems. It should be sufficient to require broadcasters to provide information to the public in areas where RF levels are above those where manufacturers of electronic devices can reasonably design for interference immunity. Individualized remedial action should be required in only the most extreme situations, and all obligations beyond distributing standard information should

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5/ *See Notice* at par. 23.

6/ APTS is not aware of significant complaints by users that broadcasters are interfering with their ability to make or receive cellular or PCS calls.

terminate after one year. Only well-designed, fixed radio receiving equipment should be protected, as known design and use techniques appear adequate to protect other kinds of equipment. Finally, any rules adopted in this proceeding should apply to NTSC analog television only, as not enough is known about the power levels at which digital TV stations will operate in the future or the extent to which their signals may possibly interfere with nearby electronic equipment.

Respectfully submitted,

Peter Tannenwald

Irwin, Campbell & Tannenwald, P.C.
1730 Rhode Island Ave., N.W., Suite 200
Washington, DC 20036-3101
Tel. 202-728-0400
Fax 202-728-0354

Counsel for the Association of America's Public Television Stations and the Public Broadcasting Service

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Marilyn Mohrman-Gills, Esq.
Vice-President, Policy and Legal Affairs
Donna M. Thompson, Esq.
Director of Legal Affairs
Association of America's Public Television Stations
1350 Connecticut Ave., N.W., Suite 200
Washington, DC 20036
Tel. 202-887-1700
Fax 202-293-2422

Paula A. Jameson, Esq.
Vice President, General Counsel, and Secretary
Gary P. Poon, Esq.
Assistant General Counsel
Public Broadcasting Service
1320 Braddock Place
Alexandria, VA 22314-1698
Tel. 703-739-7532
Fax 703-739-5358