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

In the Matter of	)	
	)	
Petition for Rule Making by the	)	
National Weather Service for	)	RM-9215
Changes in Part11 of the	)	
Commission's Rules Regarding the	)	
Emergency Alert System	)	
	)	

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To: The Commission

Comments of the Society of Broadcast Engineers, Inc.

The Society of Broadcast Engineers, Incorporated (SBE), the national association of broadcast engineers and technical communications professionals, with more than 5,000 members in the United States, hereby respectfully submits its comments in the above-captioned Petition for Rule Making filed by the National Weather Service relating to the Emergency Alert System ("EAS").

SBE Evaluation of NWS Petition

1. The SBE has no objection to the intent of the comments filed by the National Weather Service ("NWS"). Indeed, the SBE has, since the inception of the EAS Rules, been urging the FCC, officially and otherwise, to modify and expand the event code list found in the EAS Part 11 rules to enable the system to be as effective for non-weather emergencies as it is for weather related incidents. RM-9215 appears to attempt to accomplish that goal.

2. The third letter format of the event codes suggested in paragraph 3 of Attachment 1 of RM-9215 is endorsed by the SBE. Indeed, this change will make it much easier to design consumer grade equipment with a goal of eliminating many confusing programming options to the user. The SBE has always felt that the consumer should be in control of what event messages they deem should constitute an intrusion into their lifestyle. This W-A-E-S third letter format will allow consumers to pick one or more codes and ignore the rest. For example, these choices may be important to consumers in the middle of the night when they wish only to be awakened for life threatening situations. If event originators can become accustomed to assigning codes with a third letter of W (warning) to only life-threatening

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events, consumer equipment can be designed so the user can choose to be alarmed for only the "W" alerts.

3. The Special SS Code Set described in Attachment 3 are of no use to broadcasters as they encompass areas far greater than any one EAS operational area would ever cover. However, recognizing that there may be a use in the world of the NOAA Weather Radio for such codes, the SBE has no objection to adding them.

4. The changes indicated in Attachment 2 to the actual EAS Event Code list appear to add nine additional non-weather related event codes covering six additional events. The remainder of the changes are just that, changes of what was already in the event code list. While this is an improvement in the ability to warn the public of disasters by the addition of these six categories, SBE still feels the list itself is far short of what is necessary. The SBE recognizes that the intent is to couple these six additional categories with a method of flexible customizable text imbedded in proposed modifications to the location coding described in paragraph seven of Attachment 1 to RM-9215. The SBE is concerned that what may result is the approval of the event code additions without the approval of the elaborate location code changes. The reasons for these concerns stem from what SBE expects will be implementation problems for the proposed location code modifications.

5. The SBE recognizes that the suggested additional flexible location codes as described in paragraph seven of Attachment 1 are intended to act in conjunction with the additional event codes of Attachment 2, to offer a high degree of specific location fixing. Further, the SBE understands the desire to provide an emergency system with the ability to deliver more detailed text by allowing regions to customize location codes with both numbers and text. The SBE fears, however, that the EAS will not benefit as fully as NWS hopes by this type of code manipulation.

6. It has been the experience of the SBE in working with EAS Equipment manufacturers that there will be significant voids created in EAS operational areas due to the fact that some manufacturers will not allow such flexibility in their equipment for fear of FCC Certification problems. In fact, the SBE has repeatedly been told by some manufacturers that unless coding is exactly specified in the FCC Rules, the modified or supplemental coding will not be put into the manufacturer's equipment. Additionally, the SBE has not seen a desire by the FCC to convince these manufacturers to the contrary. As it is highly unlikely that any regionally-customized coding will be included in the Rules, it is these same manufacturers who will likely render the methods of flexibility attempted in paragraph 7 of Attachment 1 of

RM-9215 useless to broadcasters who own such equipment. What will result is that there will be the additional six categories of event codes without any regionally customized location codes to explain the specifics of the event. This situation would be only slightly better than what the EAS is now.

7. Other manufacturers who would "buy into" this method of coding flexibility will require factory-burned EPROM (Erasable Programmable Read Only Memory) swaps once each area finalizes its code customizing. In these cases, each broadcaster wishing to partake in this added emergency alerting capability will likely have to pay for these new EPROMs. There has been a history of non-mandates in matters of EAS capability lower than for National Alerting. As such, without an FCC mandate concerning these "local" code changes, SBE believes that many broadcasters possessing equipment from these manufacturers will opt not to purchase the upgrade. Even for those that will purchase the first upgrade, when this regional code customizing requires addition or change, subsequent EPROM charges will discourage some broadcasters from keeping up. For those that will, their equipment becomes usable only in the region where the custom codes installed in their unit are valid. This situation is one sought to be avoided since the inception of the EAS. The ability to move equipment around in a group ownership situation is therefore a serious concern.

8. The SBE recognizes that other manufacturers have an opposite point of view and offer a degree of user programming ability in their units to change and add coding of a customized type. And, they do this without fear of FCC equipment certification violation. These changes, in some cases, can be done by the user and without need for EPROM swapping and thus virtually "free of charge". The SBE anticipates that these manufacturers would expand that capability to allow the methods of location code flexibility described in paragraph seven of Attachment 1 to RM-9215 to become fully functional and effective.

9. The SBE feels that what will result will not be good enough. Due to the situation created by those manufacturers described in paragraphs six and seven above, SBE cannot endorse the location code manipulation described in paragraph 7 of Attachment 1 to RM-9215 without an assurance that every bit of code customizing ultimately is included in Part 11 of the FCC Rules. If that does not happen, what will result will be a "patchwork" of EAS capability throughout the country which will cause confusion. Such change will be counterproductive to the EAS.

10. The SBE is forced to deduce that what is written in RM-9215 is not so much written to enhance the EAS but rather to bolster the capability of the NOAA SAME system without

regard to the EAS. As evidence to this the SBE cites the statement from paragraph seven of Attachment 1 which reads

> EAS decoders monitoring one or more of these frequencies need not respond to such codes for EAS purposes but should be capable of passing them along in any retransmission of the header code.

As further evidence to this SBE points to the wording of paragraph eight of Attachment 1 which states

> It is important for all EAS equipment manufacturers to be aware of the NWR's non-EAS Specific Area Message Encoding applications.

The paragraph goes on to propose additional wording to Part 11 Rules that would force EAS manufacturers to ensure compatibility with the NWR SAME system. Such wording does not indicate attempts toward the merging of two systems into one effective alerting mechanism for all citizens of the country and its territories but rather toward one system ignoring the needs of the other.

11. SBE suggests that there is a better way to accomplish the textual flexibility proposed in paragraph seven of Attachment 1 to RM-9215 without limiting either the NWR SAME system or the EAS, and one that would be palatable to all manufacturers. Such a method is described in the SBE Petition for EAS Rules change assigned RM-9156. The text protocol described in Item 5 of RM-9156 would need to be implemented into all equipment only once and uniformly. Such implementation could be incorporated at the same time the event codes of Attachments 2 and 3 of RM-9215 are added to the equipment. The text protocol of RM-9156 combined with the event code modifications of Attachments 2 and 3 in RM-9215 would afford complete flexibility to both the NWR SAME system and the EAS. The event codes of RM-9215 would add non-weather alerting capability to both systems and the text protocol of RM-9156 allows for inputting specific text at the origination point and extracting that text at the receive point without the need to program any regional customization schemes into EAS equipment. As an added benefit of this method of customized text capability, all EAS equipment will contain the same code programming and thus not be limited to operation in a specific area. In this way the equipment will be able to be used anywhere as the text protocol is "passthrough" and the event codes will be uniform. Additionally, once the equipment has been made capable of the text protocol, as the need arises to alter or add customized text in a region, such changes take place outside of the EAS or SAME encoding/decoding equipment by the originator of an event and will not require further manufacturer intervention.

SUMMARY

12. SBE feels that the broadcast industry will not get many chances to improve on emergency alerting. SBE hopes that any attempt to improve either the NWS SAME or the EAS system is well thought out to result in what can best enhance both systems with changes that will last through the life of the systems and result in a wider acceptance and trust in them by their users.

Respectfully submitted,

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February 13, 1998

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