

January 15, 2015

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

Re: In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions (Docket No. 12-268) and Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television and Television Translator Stations (Docket No. 03-185)

Dear Ms. Dortch:

This letter is to notify you that on January 13, 2015, Lonna Thompson, Executive Vice President, Chief Operating Officer, and General Counsel, of the Association of Public Television Stations; and Katherine Lauderdale, Senior Vice President, General Counsel, and Corporate Secretary, William Weber, Vice President, Government Affairs and Associate General Counsel, Eric Wolf, Vice President, Technology Strategy and Planning, and Thomas Rosen, Senior Counsel, of the Public Broadcasting Service; and Michael Levy, Executive Vice President, Corporate and Public Affairs, of the Corporation for Public Broadcasting (collectively, "PTV") met with Gary Epstein, Chair of the Incentive Auction Task Force, Howard Symons, Vice Chair of the Incentive Auction Task Force, Bill Lake, Chief of the Media Bureau, Michelle Carey, Deputy Chief of the Media Bureau, Barbara Kreisman, Chief of the Video Division, A.J. Glusman, Legal Advisor to the Incentive Auction Task Force, and Mary Margaret Jackson, Legal Advisor to the Incentive Auction Task Force, of the Federal Communications Commission.

PTV requested the meeting in order to discuss issues of importance to the public broadcasting industry in connection with the upcoming spectrum incentive auction and repacking process. PTV expressed appreciation for the Commission staff's willingness to consider a number of regulatory safeguards that protect and preserve noncommercial educational service across the country. PTV recommended that the Commission take the following additional two steps to further ensure that the communities served by public broadcasting are not negatively impacted by the auction and repack.

First, PTV urged the Commission to adopt the compromise solution to ensuring both the preservation of noncommercial service and a successful incentive auction that is proposed in the pending Petition for Reconsideration filed on September 15, 2014. This would allow all stations to volunteer to participate in the incentive auction and avoid prohibiting any individual participants, while preserving at least one reserved channel in the UHF or VHF band following the repacking process to enable a new entrant to offer noncommercial educational service in the community. PTV explained the technical challenges that could result from this channel being located in the VHF band, and the FCC staff discussed the opportunities for effective radiated power and antenna height waivers to aid in resolving any VHF coverage issues.

Second, PTV urged the Commission to adopt the selection priorities for translator displacement applications proposed in the comments filed by PTV on January 12, 2015 in response to the Third Notice of Proposed Rulemaking on rules for digital low power television and television translator stations. This includes a second-level selection priority for translators operated by noncommercial educational licensees, premised in part on the unique must-carry rights provided to noncommercial translators by the Commission, which treat such translators distinctly from commercial translators and similarly to full-power transmitters for cable must-carry purposes.¹

PTV looks forward to working closely with the FCC to ensure that continued service to the entire American public is achieved in concert with a successful incentive auction early next year.

Regards,

/s/ _____

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¹ See 47 C.F.R. §§ 76.55(a), 76.56(a).