

Agenda 5/27/15 - FAB Telemedia
LPTV RFA and 1st R&O Reconsideration Issues

1. RFA Lack of Transparency – on a track for appeal separate from 1st R&O Reconsideration
 - a. Letter to Chm. Wheeler and SBA Chief Advocacy Counsel, Dr. Sargeant from December 15, 2014 to clarify misstatements in the record.
 1. No status update on meetings or discussions with SBA.
 2. Requested written reply to SBA entered into the 12-268 & 03-185 dockets.
 3. Also requested status of FAB’s Motion to include the letter as part of our Petition for Reconsideration (includes **Item b** below).
 4. 5+ months total elapsed time on this issue.
 - b. Lack of release into the record the FCC staff analysis of LPTV impacts and assumptions on LPTV clearing run last year in order to produce “Greenhill 1.”
 1. October 1st Greenhill 1 release implies LPTV impact analysis was well in hand before the Petition for Reconsideration window closed Sept 14th.
 2. It was impossible to comply in January with the 3rd NPRM para 59 request that Commenters provide “benefit-disadvantage” justification for proposals to mitigate impact on LPTV (i.e., benefit-cost) without a release the analysis by DMA of the full scope and sweep of LPTV clearing and stranded LPTV stations.
 3. Denial of our Motion to Toll Comments has damaged the 3rd NPRM process.
 4. Recite dates/occasions this info was respectfully requested
 - i. December 15, 2014 Joint letter included a request for this analysis (plus inclusion into the Petition for Reconsideration)
 - ii. Dec 22, 2014 Motion to Toll again requested this info for 03-185
 - iii. Repeated as a topic in the Initial OCBO meeting January requests.
 - iv. Bill Lake meeting early Feb. 10th
 - v. OCBO meeting March 27 after 2 follow-up meetings were not set
 - vi. Three other OCBO requests for meetings during April/May
 - vii. Meeting last week finally with the Task Force
 - viii. Almost 5 months total time has elapsed on this outstanding issue
2. FAB Petition for Reconsideration on the 1st R & O –
 - a. Staff reported to have said LPTV-related Recon Petitions are largely recommended to be denied and are now circulating with the Commissioners
 - b. Our three reconsideration requests –
 1. LPTV Auction Eligibility – Request Benefit-Cost Analysis
 2. LPTV Repack Reassurances
 3. Excessive Remainder Spectrum plus a proposed nationwide 6MHz unlicensed block harm LPTV repack options after the auction.
3. How can FAB help 1st R&O, upcoming 3rd R&O Recon. and separate RFA appeal processes?
4. Thank you for taking the meeting