

July 23, 2015

BY ELECTRONIC FILING

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

Re: Notice of *Ex Parte* Communication in MB Docket No. 15-71

Dear Ms. Dortch:

On July 22, representatives of DIRECTV spoke by telephone with Commission staff regarding the above-referenced market modification proceeding. Present on behalf of DIRECTV were Stacy Fuller, Jack Wengryniuk, and outside counsel Bill Wiltshire and Michael Nilsson. Present on behalf of the Commission were Kalpak Gude, Evan Baranoff, Chip Fleming, and Sean Mirzadegan. We discussed the following issues:

1. Supporting Materials. DIRECTV has repeatedly suggested that it could provide broadcasters seeking market modifications with certifications as to spot beam coverage. It has provided the Commission with a draft form to serve that purpose.¹ The National Association of Broadcasters (“NAB”) last week suggested that satellite carriers should be required to file certain “supporting materials” along with any such certification.²

DIRECTV pointed out that the supporting materials suggested by NAB are in fact inputs for “link budgets.” A satellite link budget is a calculation that accounts for certain factors that affect a radio signal as it travels from an uplink earth station to a space station and back down through the atmosphere to the customer’s earth station receiver. It generally takes the form of a table, with entries that include (among other things) transmit power from the uplink earth station and from the satellite, antenna gains, system noise, intersystem interference, and atmospheric attenuation including the effects of “rain fade.” The net result of this calculation is an estimation of end-to-end satellite link performance.

DIRECTV thus suggested that, if a satellite carrier were to certify that it could not serve some or all of a proposed modified area, and Commission staff were to find a genuine dispute of fact related to such certification, the Commission could require the satellite carrier to submit a representative link budget for the area in question for staff review on a confidential basis.

¹ Letter from Michael Nilsson to Marlene Dortch, MB Docket No. 15-71 (filed July 9, 2015).

² Letter from Erin Dozier to Marlene Dortch, MB Docket No. 15-71 (filed July 15, 2015).

Satellite carriers could be required to preserve records sufficient to generate such a representative link budget, presumably during the pendency of any market modification proceeding.

2. ***Neighboring Spot Beam.*** DIRECTV reiterated that, even in those relatively few cases where it might have capacity to offer service to a modified area using a “neighboring” spot beam, such service remains *per se* technically and economically infeasible. As DIRECTV has pointed out repeatedly in this proceeding, the Commission should not require satellite carriers to devote scarce and valuable spot-beam capacity to deliver television stations to only a handful of zip codes.

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Pursuant to the Commission’s rules, I am filing one copy of this letter in the above-captioned docket.

Respectfully submitted,

/s/

Michael Nilsson

Counsel to DIRECTV, LLC

cc (by email):

Mary Beth Murphy
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Steven Broeckaert
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