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July 30, 2015

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: Notice of *Ex Parte* Presentation
GN Docket No. 12-268; MB Docket Nos. 15-137 & 15-146**

Dear Ms. Dortch:

On July 28, 2015, Pat LaPlatney, Senior Vice-President of Raycom Media and Chair of Pearl TV, and the undersigned met with Commissioner O’Rielly and his Legal Advisors Robin Colwell and Erin McGrath; and with David Strickland, Legal Advisor to Commissioner Clyburn. On July 29, Mr. Waldron met with Jessica Almond, Legal Advisor to Chairman Wheeler. During those meetings we discussed the following items:

Who is Pearl? We explained that Pearl is a coalition of eight leading broadcasters promoting next generation TV. Its members include Hearst Television Inc., Schurz Communications Inc., Meredith, TEGNA (nee Gannett), Raycom Media, Graham Media Group, Media General, and Cox Media Group. Pearl, representing a significant number of broadcast stations across the country, has worked actively with the Advanced Television Systems Committee in the development of the next-generation TV standard, ATSC 3.0. ATSC 3.0 is an IP-based standard that will enable broadcasters to offer not just ultra-high quality video and audio and interactive features, but they also can use the capacity to offer another broadband pipe into the home. We explained that Samsung has entered into an arrangement with Pearl to promote ATSC 3.0, and that South Korea was planning on launching ATSC 3.0 in time for the Summer Olympics in 2016. We emphasized that ATSC 3.0 has the promise of being a genuine worldwide standard and because it is IP based it will be a flexible standard going forward that can be adapted to new uses.

ATSC 3.0 and pending proceedings. We explained that the Commission has a number of interlocking proceedings and decisions before it that could affect the ability of broadcasters to upgrade their service to the next-generation TV standard, including the vacant channel proceeding. We urged the Commission to consider how these decisions will affect the ability of broadcasters to fully embrace and make the most of ATSC 3.0. Specifically, we addressed the critical element of channel sharing, which is an important premise of the auction. We

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emphasized that the next-gen TV standard ATSC 3.0 actually facilitates channel sharing. However, channel sharing will involve some changes to the service area contour to enable both stations to reach critical parts of their audiences. We also emphasized, as had been the case after the DTV transition, that changes to the service area contour may be necessary post-repacking to address technical issues that arise. Given these realities, we expressed concern that the Commission has under consideration proposals that would freeze in place the service area of a broadcaster. That proposal could significantly impair the ability of broadcasters to offer consumers services that may be very appealing as the video distribution business continues to evolve. The ATSC 3.0 standard will give consumers a rich video experience and also another broadband pipe into the home. We added that if broadcasters have no ability to adapt to the very different engineering and technical landscape that will exist post-repacking, then they will be hampered to compete and deliver next-gen TV to consumers.

Suggested approaches. As the FCC considers the myriad proceedings and issues before it, we urged the Commission to be mindful that the next-gen TV standard is in its final stages. We also urged the Commission to consider some flexibility post-repacking for broadcasters to seek license modifications. We understand that the Commission wants to hold open a vacant channel for use by unlicensed devices and wireless microphones, but the experience from the DTV transition teaches that immediately after the repacking is complete it is both certain and inevitable that some modifications will be needed. In light of that problem, and recognizing the Commission's need to balance various goals, we suggested a limited post-repacking window for license modifications and suggested six years as a possible timeframe. That period will give broadcasters an opportunity to respond to the repacking process. It also will give broadcasters interested in channel sharing the confidence that they can enter the auction and be able to serve their existing audience.

Please direct any questions to the undersigned.

Sincerely,

/s/ Gerard J. Waldron

Kurt A. Wimmer
Gerard J. Waldron
Counsel to Pearl TV