



OMAHA CITY COUNCIL

OMAHA/DOUGLAS CIVIC CENTER

OMAHA, NEBRASKA 68183

Telephone (402) 444-5520

Telefax (402) 444-5263

LORMONG LO
PRESIDENT
FRANK BROWN
VICE PRESIDENT
SUBBY ANZALDO
CLIFF HERD
PAUL KONECK
MARC KRAFT
LEE TERRY

June 17, 1998

Chairman William Kennard
Federal Communications Commission
1919 "M" Street NW, Room 814
Washington, DC 20554

RE: *Ex Parte Filing* in Cases FO 91-171; FO 91-301/

Dear Chairman Kennard:

Please reject the proposed change in your Emergency Alert System (EAS) rules. It would prevent people watching local TV stations on our cable system in the City of Omaha from receiving emergency announcements from our local public safety authorities.

There is no basis for such preemption of state and local public safety authorities, particularly against their will. All viewers of cable channels should get emergency announcements from their local public safety authority. Otherwise, the public safety is harmed. So please reject the proposed change, including any proposal to preempt franchise provisions on local emergency alerts.

Municipalities, including Omaha, are charged with protecting the public safety. We have trained public safety authorities on duty 24 hours a day with an obligation and duty to notify the public of emergencies. Where we have felt it necessary (such as TV station announcements being inadequate or needing supplementing), we require all channel local alert systems in our cable franchises.

Emergency information on TV stations can be helpful but typically apply mainly to weather. Local emergency alerts are also used for other types of emergencies such as hazardous material spills, gas leaks, prison escapes, street and bridge closings, and local snow emergencies. TV stations typically don't cover these, in part because they usually serve hundreds of communities. They don't cover local emergencies which affect only one community. Cable systems are often the best or only means for municipalities to alert their residents to local emergencies which reflect local conditions.

EX PARTE OR LATE FILED

RECEIVED

JUN 26 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Chairman William Kennard
Federal Communications Commission
June 17, 1998
Page Two

The Cable Act allows communities in renewals to require cable systems to meet community needs. Local emergency alert systems are a part of meeting such needs. Because citizens are protected by these provisions of the Cable Act, you should not preempt them. Therefore, the City of Omaha opposes the proposed change in your Emergency Alert System (EAS) rules and we oppose any additional proposals to preempt the City of Omaha's authority involving cable companies.

Sincerely,



Lormong Lo
President
Omaha City Council

JC/wk

C: Mayor Hal Daub
Councilmembers
Council Cable Committee
Federal Communications Commission Members
Ms. Magalie Roman Salas, Secretary, FCC
Council Staff