



# city of san luis obispo

OFFICE OF THE CITY COUNCIL  
990 Palm Street ■ San Luis Obispo, CA 93401-3249 ■ 805/781-7119

June 18, 1998

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

Re: Cases FO 91-171 and FO 91-301 /

Dear Chairman Kennard:

On behalf of the City of San Luis Obispo, I am requesting that you reject the proposed change in your Emergency Alert System (EAS) rules, as it would prevent local public safety authorities from being able to broadcast emergency announcements over local TV stations.

Cities have a responsibility to protect the public's safety. They have trained public safety authorities on duty 24 hours a day whose responsibility is to notify the public of emergencies. For that reason, the franchise with our local cable company requires that company to provide us with emergency alert capability which allows the City to interrupt and cablecast an audio message on all channels simultaneously in the event of disaster or public emergency. It is a violation of Federalism, common sense and your statutory duty to turn this critical function over to a private party who has no obligation, training or authority on public safety matters.

It is my understanding that broadcasters supporting the proposed rule claim that their emergency alerts are superior to those of state and local public safety authorities and that there is the potential for overlap of information. Our city does not believe these issues to be the case, and for that reason has included emergency broadcast capability in our franchise. The Cable Act allows for such a provision. Any attempt to preempt this provision violates the principles of Federalism and the U.S. Constitution, since public safety matters are of vital local concern.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen K. Settle".

Allen K. Settle  
Mayor