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# VILLAGE OF WILMETTE

1200 Wilmette Ave.  
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OFFICE OF THE  
VILLAGE PRESIDENT

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

*Ex Parte Filing* in cases FO91-171; FO91-301 ✓

Dear Chairman Kennard:

Please reject the proposed change in your Emergency Alert System (EAS) rules. It would prevent people watching local TV stations on a cable system from receiving emergency announcements from the 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 receive 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 are charged with protecting the public safety. They have trained public safety authorities on duty 24 hours a day with an obligation and duty to notify the public of emergencies. Where they have felt it necessary (such as TV station announcements being inadequate or needing supplementing) municipalities require all channel local alert systems in their cable franchises. It is a violation of Federalism, common sense and your statutory duty to turn this vital public safety function over to a private party which has no obligation, training or authority on public safety matters.

Broadcasters supporting the proposed rule claim that their emergency alerts are superior to those of state and local public safety authorities. This is a decision for each municipal safety authority to determine on a case by case basis, as reflected in its cable franchise. This decision cannot be turned over by a private party with no public safety obligation.

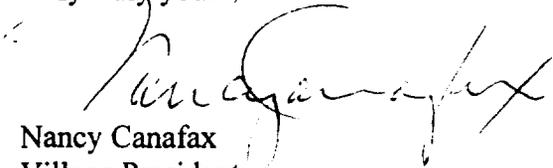
Alert systems deal with emergencies where public safety authorities have determined that the public needs to be informed immediately. The fact that emergency alerts from public safety authorities may occasionally overlap those of private parties (such as broadcasters)

is a minor problem, if it is a problem at all. The NAB's proposed rule is unacceptable because it guarantees a substantial reduction in the number of people receiving emergency announcements from their local public safety authority.

Emergency information on TV stations can be helpful but typically applies 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, this is because TV stations serve hundreds of communities. They don't cover local emergencies that affect only one community. Cable systems are often the best or only means for municipalities to alert their residents to local emergencies that reflect local conditions.

The Cable Act allows communities to require cable systems to meet community needs. Local emergency alert systems are a part of meeting such needs. Because they are protected by these provisions of the Cable Act, I urge you to not preempt them. Any attempt at preemption would compromise public safety.

Very truly yours,

  
Nancy Canafax  
Village President

cc: Commissioner Harold Furchtgott-Roth  
Federal Communications Commission  
1919 M Street, Room 802  
Washington, DC 20554

Mr. John Logan, Acting Chief  
Cable Services Bureau  
918 Empire Building  
2033 M Street, NW  
Washington, DC 20554

Commissioner Michael Powell  
Federal Communications Commission  
1919 M Street, Room 844  
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Commissioner Gloria Tristani  
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1919 M Street, Room 826  
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Ms. Magalie Roman Salas (two copies)  
Federal Communications Commission  
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Commissioner Susan Ness  
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