

DOCKET FILE COPY ORIGINAL

ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

JAN 24 2000
RECEIVED
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

_____)	
In the Matter of)	
)	
Digital Audio Broadcasting Systems)	MM Docket No. 99-325
And Their Impact On the Terrestrial Radio)	
Broadcast Service)	
)	
)	
)	
_____)	

COMMENTS OF GANNETT CO., INC.

Gannett Co., Inc. ("Gannett"), respectfully submits its comments in response to the *Notice of Proposed Rulemaking* in the above-captioned docket.¹ In the *NPRM*, the Commission seeks comment on issues relating to the provision of digital audio broadcasting ("DAB"), such as the criteria for evaluating DAB models and systems, and the merits of an in-band, on-channel ("IBOC") technology approach to transitioning from analog to digital services.

Gannett is a founding member of the USA Digital Radio, Inc. ("USADR") partnership and a participant in the group since its creation in 1991. The goals of USADR are straightforward: to deliver to every American radio listener the high quality sound and benefits of IBOC DAB technology by using the most sensible technical and economic DAB system.

¹ Digital Audio Broadcasting Systems and Their Impact On the Terrestrial Radio Broadcast Service, MM Docket No. 99-325, *Notice of Proposed Rulemaking*, FCC 99-327 (rel. Nov. 1, 1999) ("*NPRM*").

No. of Copies rec'd 04
List ABCDE

From this perspective, Gannett applauds the Commission's objective "to foster a rapid and non-disruptive transition to DAB for broadcasters and listeners."² To that end, Gannett supports the adoption of the IBOC DAB technology developed by USADR as the most efficacious means of achieving the Commission's goals. IBOC DAB technology allows broadcasters to place their digital signals within their existing channel on each side of the existing analog signal, enabling the simultaneous broadcast of analog and digital signals during a transition period. Eventually, the analog signal would be phased out completely. The IBOC DAB system designed by USADR therefore permits the implementation of DAB within the existing regulatory and broadcasting infrastructure, thereby avoiding undue disruption to the current system. Gannett believes that this approach represents a superior means by which the industry can bring DAB to the public quickly, economically, and without the need for additional spectrum allocations. Gannett urges the FCC to implement DAB and supports the Commission's efforts to adopt standards necessary to bring this technology to the public.

I. DIGITAL AUDIO BROADCASTING IS IN THE PUBLIC INTEREST

A. Digital Technology Will Bring Much-Needed Improvements to Radio Broadcasting

The Commission states that "fostering the development and implementation of terrestrial DAB is in the public interest."³ Gannett strongly agrees. The implementation of digital technology in the context of radio broadcasting will bring the advantages and benefits of this technology to radio. Digital technology will improve the sound fidelity of AM and FM

² *NPRM*, ¶ 18.

³ *Id.* at ¶ 15.

broadcasts: FM broadcasts will enjoy near-CD quality, and AM broadcasts will have sound comparable to today's FM.⁴ Digital processing of signals will also increase the robustness of the radio signal against interference, multipath fading and noise.⁵

B. The Public Interest Benefits in DAB Will Enhance the Significant Public Interest Benefits in Local Radio Broadcasting

Digital technology will also preserve the economic health and viability of terrestrial radio for the future. As the FCC has long been aware, consumer demand for digital products is increasing dramatically.⁶ For example, the Commission highlighted the digitization of wireless telecommunications as one of the top three trends in that industry.⁷ Consumers can, or will soon be able to, receive high quality audio digital programming from an increasing number of sources, including, among others, cable, Internet webcasting, direct broadcast satellites, satellite digital audio radio, compact disks, and digital audio tape. Yet, despite the Commission's long time commitment to giving "existing broadcasters ... an opportunity to take advantage of new digital radio technologies,"⁸ the one source of programming still missing from this list is terrestrial radio. Gannett supports the Commission's efforts to bring DAB to fruition.

⁴ See Amendment of Part 73 of the Commission's Rules to Permit the Introduction of Digital Audio Broadcasting in the AM and FM Broadcast Services, *Petition for Rulemaking*, at 14-15 (filed Oct. 7, 1998) ("*Petition*"). The Petition was placed on public notice on November 6, 1998. See Petition for Rulemaking, RM-9393, *Public Notice*, DA 98-2244 (Nov. 6, 1998)

⁵ See *Petition* at 15.

⁶ See *Amendment of the Commission's Rules with Regard to the Establishment and Regulation of New Digital Audio Radio Services*, 7 FCC Rcd 7776, 7778 (1992) ("*DARS NPRM*").

⁷ See *Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services (Third Report)*, 13 FCC Rcd 19746, ¶ 5 (1998).

⁸ *DARS NPRM* at 7780.

The implementation of DAB will give radio broadcasters the tools to compete with these other digital technologies well into the future and preserve this valuable American resource. As the Commission acknowledges, radio has “unrivaled accessibility” and a “unique ability to provide local news information and public service programming.”⁹ As an example of radio’s vital role in society, it comprises a central part of the Emergency Alert System. Radio’s continued ability to play this key role, among others, however, is dependent upon its ability to compete with other modes of program delivery, which are increasingly taking advantage of the digital revolution. The public demand for digital technology is growing, and the expedient implementation of DAB will keep radio competitive into the future.

II. THE COMMISSION SHOULD PLAY A KEY ROLE IN ADOPTING A DAB TRANSMISSION STANDARD.

The Commission seeks comment on whether the private industry can or will be able to achieve a voluntary DAB transmission standard in the absence of Commission action.¹⁰ Gannett submits that, because of the technical characteristics of DAB systems and the nature of the radio market, the FCC must provide a mechanism for government-mandated standards. Without an active, coordinated effort by the Commission, the benefits of DAB cannot be brought expediently to the American listening public. Gannett therefore agrees with the Commission’s tentative conclusion “that the public interest compels a Commission role in the development of

⁹ *NPRM* at ¶ 4.

¹⁰ *See id.* at ¶ 53.

DAB transmission standards.”¹¹ As the USADR petition illustrates, some type of DAB standard is necessary to guarantee the compatibility between DAB transmitters and receivers.¹²

First, as discussed in the previous section, Commission action is necessary because there is significant public benefit from the establishment of a DAB transmission standard. Gannett asserts that without a standard, the public interest benefits of the system will fail to materialize. It is vital to understand that any DAB system will have a multitude of components, all of which must be compatible for the system to function properly. For example, the specifications for forward error correction and interleaving codes must be able to work together in order for the system to achieve the enhanced robustness a digital signal can generate over a comparable analog signal. If a transmitter and receiver are operating on incompatible systems, the benefits of DAB are completely lost because the digital signal could not even be processed in the first instance.

Second, Commission intervention would simply comport with its past practices of adopting a single, industry-wide standard when approving new communications technologies.¹³ Moreover, such intervention is necessary, because, as recent experience has shown, private industry alone will simply be unable to achieve a standard. The DAB industry is comprised of a vast number of players—broadcasters, manufacturers, retailers, and consumers—all with divergent agendas, incentives, and cost/benefit parameters. Despite the critical need for standards in order to ensure the success of DAB, the industry, acting on its own, is incapable of establishing such standards given the nature of the radio broadcast industry. Indeed, even within

¹¹ *NPRM* at ¶ 52.

¹² *Petition* at 95-96.

¹³ For example, the FCC adopted single standards when it approved the technologies for digital television, stereo television, and FM radio broadcasting.

a given subgroup in the industry, sufficient divergent forces exist to prevent convergence around a set of standards by just that isolated subset of players. The Commission only needs to look at the history of the industry's less than successful implementation of AM Stereo as evidence of the divergent forces operating within the radio broadcast industry.

Based upon these circumstances, it is clear that the Commission must play a central role in evaluating, establishing and coordinating the implementation of DAB for terrestrial radio. Gannett urges the Commission to ensure compatibility among DAB components, so that the public might enjoy the benefits of DAB technology.

III. THE USADR IBOC DAB APPROACH OFFERS SIGNIFICANT BENEFITS TO ALL INDUSTRY MEMBERS INVOLVED.

The Commission seeks comment on IBOC technology as a means of implementing DAB in the United States.¹⁴ Gannett views the IBOC technology developed by USADR as the best possible means of bringing DAB to the American radio listener.

First, the USADR IBOC solution ensures that the American public will get the significant benefits of digital technology without requiring the FCC to engage in the difficult process of allocating new spectrum or different channels. The technological solution represented by IBOC is spectrum efficient. As the Commission stated, "a workable IBOC system would be superior to a new-spectrum DAB system" in that "it would not require new spectrum."¹⁵ The IBOC system designed by USADR operates within the existing allocations of spectrum for AM and FM broadcasting. Consequently, the FCC need not expend scarce resources and endure the

¹⁴ *NPRM* at ¶¶ 36-37.

¹⁵ *Id.* at ¶ 37.

administrative problems attendant with the allocation of new spectrum and the issuance of new licenses. Thus, unlike the FCC's digital television experience, the USADR approach will not require the development and implementation of a new Table of Allocations and the expenditure of resources needed to accomplish all of the tasks associated with the development of such a table. Given this, Gannett supports the Commission's logical conclusion that, if "IBOC is adopted, IBOC DAB licenses will not count as distinct authorizations for purposes of [the FCC's] local radio ownership restrictions."¹⁶

Second, the Commission has stated that its "objective [is] to foster a rapid and non-disruptive transition to DAB for broadcasters and listeners," and to "favor systems that do not require burdensome investments in new broadcast transmission equipment."¹⁷ The IBOC solution comports with this policy objective as a cost efficient digital technology. Because the broadcaster remains on the same channel, IBOC ensures a minimum disruption to current listening patterns. The broadcaster can now change to digital incrementally, without fear of losing its base of listeners and maintain the goodwill it has created in its existing dial position. IBOC also allows for a long transition period because existing equipment, such as transmitters and antennas, is not instantly obsolete with its introduction. During this time, equipment can be upgraded during the normal replacement schedule, thus minimizing the costs of moving to digital. Finally, because the IBOC approach does not require migration to new spectrum or channels, the industry saves the resources that would otherwise be expended in building a new broadcasting infrastructure that would accompany any spectrum move.

¹⁶ *NPRM* at ¶ 37.

¹⁷ *Id.* at ¶ 18.

Consumers also gain significant advantages with IBOC technology developed by USADR. Consistent with the Commission’s goal of “foster[ing] a rapid and non-disruptive transition,” IBOC “protect[s] listeners’ investment in over one-half billion radio receivers.”¹⁸ Current analog equipment remains useful during the transition period; consequently, consumers will continue to find their existing radios, stereos and other analog AM/FM receivers useful for reception. Following from this, consumers will find that their costs to upgrade to digital equipment will be dictated not by technological need, but by replacement need. As a result, a consumer’s cost to upgrade will be minimized by the fact that replacement in an IBOC world will not be driven, primarily, by the technology, but rather by the fact that it is time to replace equipment.

IV. CONCLUSION

Gannett supports the Commission’s efforts to bring DAB technology to the American public. As illustrated above, the American public—both its broadcasters and its listeners—stand to benefit greatly from a transition to digital technology. The USADR IBOC system represents the only AM and FM IBOC DAB system. In order to ensure that the transition to digital is done expediently and with the greatest likelihood of success, Gannett urges the Commission to

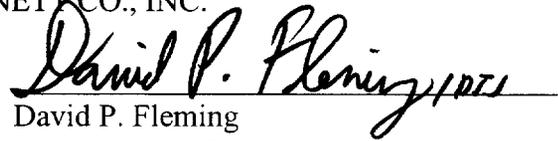
¹⁸ *NPRM* at ¶ 18.

establish an industry-wide standard for DAB transmission and to adopt the USADR designed IBOC technology for DAB systems.

Respectfully submitted,

GANNETT CO., INC.

By:

A handwritten signature in black ink that reads "David P. Fleming" with a horizontal line underneath it.

David P. Fleming
Senior Legal Counsel
1100 Wilson Blvd.
Arlington, VA 22234
(703) 284-6000

January 24, 2000