

Before the
FEDERAL COMMUNICATION COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Revision to Broadcast Auxilliary Service Rules in)	ET Docket No. 01-75
Part 74 and Conforming Technical Rules for)	
Broadcast Auxilliary Service, Cable Television)	
Relay Service and Fixed Services in Parts 74, 78)	
and 101 of the Commission's Rules)	
)	
Telecommunication Industry Association)	RM-9418
Petition for Rule Making Regarding Digital)	
Modulation for the Television Broadcast)	
Auxiliary Service)	
)	
Alliance of Motion Picture Television)	RM-9856
Producers, Petition for Rule Making Regarding)	
Low-Power Video Assist Devices in Portions of)	
the UHF and VHF Television Bands)	

COMMENTS OF
THE ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC. AND
THE NATIONAL ASSOCIATION OF BROADCASTERS

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July 9, 2001

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EXECUTIVE SUMMARY

The Association for Maximum Service Television, Inc. (“MSTV”) and the National Association of Broadcasters (“NAB”) hereby file comments in response to the Commission’s *Notice of Proposed Rulemaking Revision to Broadcast Auxiliary Service Rules in Part 74*. The Commission seeks comment on a wide number of issues ranging from revising the Broadcast Auxiliary Service (“BAS”) rules under Part 74 of the Commission’s Rules to allow the use of digital technology on all the BAS frequencies, to conform and harmonize these rules with the Cable Television Relay Service (“CARS”) and the Fixed Microwave Service (“FS”) rules in Parts 78 and 101, to a petition filed by the Alliance of Motion Picture and Television Producers to permit TV and film producers to use Wireless Video Assist Devices (“WAVDs”) on unused upper VHF and UHF television channels.

MSTV and NAB applaud the Commission’s effort in initiating this proceeding to allow the use of digital modulation on all BAS frequency bands, and we fully support the Commission’s objective of revising and conforming the BAS rules with its rules for CARS and FS. MSTV and NAB endorse many of the proposals in the *Notice* and urge their timely adoption. Specifically, we fully support the Commission’s objective of revising and conforming the BAS rules with its rules for CARS and FS and its proposal to allow digital modulation on all BAS bands. In light of our transition to digital television, we urge the Commission to amend the BAS rules explicitly to allow for digital modulation on all frequencies, and to grant a “blanket waiver” to all stations to use digital modulation on an interim basis.

MSTV and NAB are, however, concerned about the uncertainty and pace of the deployment of digital technology in the 2 GHz band. Thus, we urge the Commission to proceed slowly with adoption of new digital technical rules for this band.

Further, MSTV and NAB generally support the Commission's revisions and amendments pertaining to conforming technical rules for Parts 74, 78 and 101, emission masks, frequency coordination, automatic transmit power control and frequency tolerance, geostationary satellite protection, and STLs and TV Relays. However, we recommend the Commission amend Part 74.24(b) of its Rules to require frequency coordination before a BAS facility undertakes a short-term operation. We also recommend that the Commission require licensees fully to coordinate frequency modifications, whether minor or major, to ensure the change does not cause interference to other BAS services.

Finally, while MSTV and NAB no longer oppose the use of WVADs as proposed by the *AMPTP Petition*, we are concerned with the potential for WVAD interference to low power BAS operations. Thus, we urge the Commission to require full frequency coordination through the local broadcast coordinator to ensure non-interference.

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Revision to Broadcast Auxiliary Service Rules in Part 74 and Conforming Technical Rules for Broadcast Auxiliary Service, Cable Television Relay Service and Fixed Services in Parts 74, 78 and 101 of the Commission's Rules)	ET Docket No. 01-75
)	
Telecommunication Industry Association Petition for Rule Making Regarding Digital Modulation for the Television Broadcast Auxiliary Service)	RM-9418
)	
Alliance of Motion Picture Television Producers, Petition for Rule Making Regarding Low-Power Video Assist Devices in Portions of the UHF and VHF Television Bands)	RM-9856
)	

To: The Commission

**COMMENTS OF
THE ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC. AND
THE NATIONAL ASSOCIATION OF BROADCASTERS**

I. INTRODUCTION.

The Association for Maximum Service Television, Inc. ("MSTV") and the National Association of Broadcasters ("NAB")¹ respectfully submit these comments in response to the

¹MSTV represents more than 425 local television stations before the FCC and Congress on technical and technology issues relating to analog and digital television services. NAB serves and represents the American broadcast industry as a nonprofit, incorporated association of radio and television stations and broadcast networks.

Commission's *Notice of Proposed Rulemaking* in the above-captioned proceeding.² In the *Notice*, the Commission sought comment on a wide number of issues, including revising the Broadcast Auxiliary Service ("BAS") rules under Part 74 of the Commission's Rules to allow the use of digital technology on all the BAS frequencies and to conform and harmonize these rules with the Cable Television Relay Service ("CARS") and the Fixed Microwave Service ("FS") rules in Parts 78 and 101, respectively. The Commission also sought comment on a petition filed by the Alliance of Motion Picture and Television Producers to permit TV and film producers to use Wireless Video Assist Devices ("WVADs") on unused upper VHF and UHF television channels.³

MSTV and NAB applaud the Commission's effort in initiating this proceeding to allow the use of digital modulation on all BAS frequency bands, and we fully support the Commission's objective of revising and conforming the BAS rules with its rules for CARS and FS. Broadcasters endorse many of the proposals in the *Notice* and urge their timely adoption. However, we are concerned with the uncertainty and pace of the transition surrounding the reallocation of a portion of the 2 GHz BAS band to the Mobile Satellite Service ("MSS") and the

² In the Matter of Revision to Broadcast Auxiliary Service Rules in Part 74, *Notice of Proposed Rulemaking*, ET Docket No. 01-75, rel. March 20, 2001 (hereinafter "*Notice*").

³ *Petition for Rulemaking* filed by the Alliance of Motion Picture and Television Producers, RM-9856, March 14, 2000 (hereinafter "*AMPTP Petition*").

subsequent deployment of digital technology in that band.⁴ Given the recent statements regarding the economic viability of MSS and the renewed interest by the wireless industry to reallocate this spectrum for wireless services and 3G applications, the Commission should address these basic issues prior to finalizing the technical rules in the 2 GHz band. Further, we urge the Commission to proceed slowly with the adoption of new digital technical rules for this band.

II. THE COMMISSION'S PROPOSAL TO ENABLE THE USE OF DIGITAL TECHNOLOGY IN ALL BAS FREQUENCIES IS TIMELY AND WARRANTED.

On March 1998, the Telecommunications Industry Association ("TIA") filed a *Petition for Rulemaking* with the FCC requesting a number of rule changes in the Fixed Services at 23 GHz and in other frequency bands.⁵ One of the requested changes is to allow the use digital modulation on all the bands utilized by the TV Broadcast Auxiliary Services. In its Petition, TIA noted that while the Commission's rules do not specifically prohibit the use of digital modulation in many of the BAS bands,⁶ the Commission's policy has been to allow the use of digital

⁴ The Commission adopted a two-phase relocation plan for reallocating the 2 GHz band for use by the MSS. Phase I narrows the seven TV BAS channels to one 15 MHz channel and six 14.5 MHz channels to accommodate the retrofitting of the existing analog equipment. Phase II further narrows the seven channels to one 12.35 MHz channel and six 12.1 MHz channels to allow the transition from analog to digital. Phase I is initiated when the first MSS licensee reaches an agreement with all the BAS licensees in the top 30 US TV markets to vacate BAS channel 1 (1990 and 2008 MHz). Phase II is initiated when the spectrum in the 1990-2008 MHz band can no longer accommodate the number of MSS licensees licensed in that band.

⁵ *Petition for Rulemaking* filed by the Telecommunications Industry Association, RM-9418, March 6, 1998.

⁶ Digital modulation is specifically addressed in Section 74.637(c) of the rules in the 6425-6525 MHz, 17,700-19,700 MHz, and 31.0-31.3 GHz bands. A comparable section allowing digital transmission is not specified in the 2 GHz (1990-2110 MHz), 2.5 GHz (2450- 2483.5 MHz), 7 GHz (6875-7125 MHz), and 13 GHz (12,700-13,250 MHz) bands.

modulation only in the bands where it is explicitly authorized by the rules. Further, under the current policy, a licensee must obtain a waiver of the rules in the bands where the use of digital modulation is not specifically authorized.⁷ MSTV and NAB urge the Commission to issue immediately a “blanket wavier” to allow all stations to use digital modulation on an interim basis pending the outcome of this proceeding.

MSTV and NAB support the Commission’s proposal to allow digital modulation on all BAS bands and urge the FCC to amend the BAS rules explicitly to allow for digital modulation on all BAS frequencies. As the Commission is well aware, the broadcast industry is in the midst of transitioning its main TV operations from analog to digital and is under a government-mandated timetable to complete this conversion.⁸ An essential part of this conversion is the ability of broadcasters to deliver their main TV signal from their studio to their transmitters digitally, and to support their Electronic News Gathering (“ENG”) operations. The Commission’s proposal to allow broadcasters to use digital modulation on all BAS frequency bands is an important step toward facilitating the overall transition to digital TV.

The Commission states that the reasons for proposing to allow the use of digital technology on all BAS frequencies are to facilitate broadcasters’ transition to digital and to accommodate narrower BAS channels in the 2 GHz band to make room for a new MSS.⁹ In the MSS proceeding, ET Docket No. 95-18, the Commission adopted a two-phase staggered transition

⁷ Currently, there are over 300 pending waiver requests for digital modulation in the 2 GHz, 7 GHz, and 13 GHz bands at the Commission. Many of these licensees are operating under Special Temporary Authority (“STA”) renewable every six months.

⁸ See *In the Matter of the Conversion to Digital Television, Fifth Report and Order*, MM Docket No. 87-268, 12 FCC Rcd 12809 (1997).

⁹ Notice at ¶ 11.

plan for relocating the incumbent BAS licensees to narrower channels.¹⁰ By virtue of the Commission's plan, BAS licensees are not required to transition to digital until the second phase of the transition, which is scheduled to be implemented in the latter part of this decade.¹¹ The speed of transition, however, depends to a large extent on the will and determination of the MSS licensees to adhere to the timetable set forth by the Commission, their ability to compensate broadcasters for the relocation, and the early successes and future prospects for an MSS service in 2 GHz.

Broadcasters are concerned about the uncertainty surrounding the pace and fate of the BAS relocation in the 2 GHz band. Recent statements by MSS providers about the economic viability of implementing a Mobile Satellite Service at 2 GHz, and the renewed interest by the wireless industry to reallocate the MSS spectrum for wireless services and 3G-like applications¹² has further raised the level of uncertainty and doubt about the likelihood of implementing an MSS service at 2 GHz. Given the current status of the BAS spectrum reallocation, and the pace of digital equipment development and use in this band, MSTV and NAB urge the Commission to proceed slowly with the development of digital technical rules for this band and to defer the adoption of these rules until the issue of potentially reallocating the MSS spectrum is fully resolved.

¹⁰ See Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz For Use By The Mobile Satellite Service, ET Docket No. 95-18, *Second Report and Order Memorandum Opinion and Order*, FCC 00-233 (rel. July 3, 2000).

¹¹ *Id.* at ¶¶ 72-74.

¹² *Petition for Rulemaking Concerning Reallocation of 2 GHz Spectrum for Terrestrial Wireless Use*, filed by the Cellular Telecommunications and Internet Association, May 18, 2001.

III. BROADCASTERS SUPPORT THE COMMISSION'S REVISIONS AND AMENDMENTS OF PART 74 OF THE RULES.

In the *Notice*, the Commission laid out three separate areas on which it solicited comments. The first area addresses technical changes and modifications to Part 74 to conform with the technical rules in Parts 78 and 101. The second area is the updating and streamlining of the BAS service rules. The third area pertains to the updating of the BAS rules to allow use of the FCC Universal Licensing System (“ULS”). Below, NAB and MSTV have organized their comments to adhere to the Commission’s layout.

A. Conforming Technical Rules for Parts 74, 78, and 101.

1. Transmitter Power Output (TPO)/Maximum Effective Isotropic Radiated Power (EIRP) for Shorter Paths.

NAB and MSTV support modification of the BAS rules to eliminate all maximum Transmitter Power Output (“TPO”) values and replace them with equivalent maximum EIRP values for all aural and TV BAS frequency bands. *Notice* at ¶¶ 18-20. The use of EIRP instead of TPO is more meaningful when determining the coverage of a station and coordinating interference between stations. We also support the maximum EIRP values proposed, but urge the Commission – as it proposed – to grandfather existing stations that operate with higher values than those proposed in this rulemaking.

Further, MSTV and NAB endorse the use of the equations in Part 101 to determine the maximum allowable EIRP for BAS paths shorter than the required minimum length. *Notice* at ¶¶ 13-14, fn. 24 and 26. We also support the adoption of a minimum path length of 17 km for all links in the 2450-2483.5 MHz band and the grandfathering of existing links at current distance and power.

2. Emission Masks.

As the Commission explained in the *Notice*, emission masks serve a dual purpose of providing for the practical information transfer within a channel, and limiting out of band emissions to minimize adjacent channel interference. *Notice* at ¶ 25. Emission masks are generally customized to meet specific operational needs and different channel widths. Many of the emission masks specified under Part 74 of the Commission's rules are slightly different than the ones in Part 101 of the rules, even though different equipment often operates in the same shared frequency bands. These inconsistencies deserve closer scrutiny and harmonization.

NAB and MSTV support the Commission's goal of conforming the emission mask specifications in Part 74 with those in Part 101 for the shared bands. The Commission should, however, be extremely careful when adopting FM emission masks that permit slightly slower attenuation rates than authorized by the various services, and we urge the Commission to solicit broadcasters' and equipment manufacturers' input prior to finalizing these rules. Also, given the status of the reallocation and the pace of the transition in the 2 GHz band, we urge the Commission to proceed slowly with the adoption of digital emission masks for this band until such time as the industry has settled on a specific digital technology.

3. Frequency Coordination.

MSTV and NAB support the Commission's proposal to require all prospective applicants in the frequency bands above 1990 MHz to coordinate their facilities, using the procedures in Section 101.103(d), prior to filling applications with the Commission.¹³ However, we believe that this requirement should only apply to fixed, point-to-point links in the shared bands. Non-

¹³ *Notice* at ¶ 38.

point-to-point operations, such as TV pick-up stations used for Electronic News Gathering (“ENG”), are itinerant in nature and are used in the coverage of breaking news events, therefore making a Part 101-type frequency coordination difficult, if not impossible. The television industry uses an ad-hoc, local frequency coordination process that has served the needs of ENG for years. This process, which in many markets is administered by volunteers, performs ENG frequency coordination on a near “real-time” basis allowing TV-pickup stations to efficiently use the available spectrum. Accordingly, MSTV and NAB believe that TV-pick stations should be exempt from the coordination requirements proposed in the *Notice*. MSTV and NAB also support the Commission’s proposal to allow BAS applicants that satisfy certain enumerated conditions to operate pursuant to temporary conditional authority after the application has been properly filed with the Commission, provided that the facility has been appropriately coordinated. *Notice* at ¶¶ 46-47.

4. Automatic Transmit Power Control and Frequency Tolerance.

MSTV and NAB support modifications to the BAS rules to allow automatic transmitter control and to conform the frequency tolerance specifications in the TV BAS rules to Part 101. *Notice* at ¶¶ 33-34, 37-40. We endorse the elimination of a separate frequency tolerance requirement for base and mobile operations. We also believe that a frequency tolerance of 0.001% for fixed and mobile BAS equipment at 2450-2483.5 MHz is reasonable, but encourage the Commission to rely on equipment manufacturers’ comments on this issue, especially with regard to whether all the existing commercially available equipment meet this specification and whether the Commission needs to grandfather some of the existing equipment.

5. Other Technical Issues.

MSTV and NAB support maintaining rules for protecting geostationary satellites from terrestrial interference only in Part 101, with cross-references in the BAS (Part 74) and CARS (Part 78) rules. We also support updating the rules to reflect recent action in the Non-Geostationary Satellite Orbit Fixed Satellite Service (NGSO FSS) proceeding¹⁴ to exclude NGSO FSS from operating in the 13.15-13.2125 GHz band and to authorize TV BAS and CARS pickup stations to use that band for mobile operations. Moreover, elimination of the references in BAS and CARS technical rules to the 31.0-31.3 GHz¹⁵ and 38.6-40.0 GHz¹⁶ bands are warranted to comply with previous Commission actions in these bands.

B. Updating and Streamlining BAS Rules.

1. Short-term Operations.

MSTV and NAB support the Commission's proposal to allow broadcast networks, cable networks and LPTV stations to operate BAS stations on a short-term basis (up to 720 hours per year) without prior FCC authorization. *Notice* at ¶ 51. However, we believe that it is *vitaly important* the Commission require such usage to be coordinated through the local

¹⁴ See ET Docket 98-206. This proceeding allowed NGSO Fixed Satellite Services earth-to-space uplink stations to share the 13 GHz band, but with the exclusion of the 13.150-13.2125 GHz band, which was reserved for mobile TV pickup nationwide.

¹⁵ See Rulemaking to Amend Part 1, 2, 21 and 25 of the Commission's Rules to Redesignate the 27.4-29.5 GHz Frequency Band, To Reallocate the 29.5-30 GHz Frequency Band, To Establish Rules and Policies for Local Multipoint Distribution Service and for Fixed Satellite Services, CC Docket No. 92-297, *Second Report and Order, Order on Reconsideration, and Fifth Notice of Proposed Rulemaking*, 12 FCC Rcd 12545 (1997).

¹⁶ See Petition for Amendment of the Commission's Rules Regarding the 37.0-38.6 GHz and 38.6-40 GHz Bands, DA 95-2341, *Order*, 11FCC Rcd 1156 (1996).

frequency coordinator. While we generally support the Commission's requirement to provide co-channel licensees prior notification of short-term operations for scheduled events, we note that there is no clear definition in the rules for what constitutes a scheduled event, nor do we believe that one should be established. Clearly, some events such as political conventions and the Olympics would be considered "scheduled." Such events have designated frequency-coordinating committees, obfuscating the need to comply with the notification requirement of Section 74.24(g). On the other hand, in a frequency-congested market with considerable news activity, anything short of breaking news could be considered scheduled.

MSTV and NAB believe that the current notification requirement of § 74.24(g) is impractical and thus the Commission's proposal to clarify exemptions to that Rule is mistaken. Indeed, simply notifying a licensee that another entity might be using their channel on a temporary basis is not sufficient. The nature of TV news now dictates that all BAS facilities undertake prior coordination with the local frequency coordinator *before* commencing short-term operations under § 74.24. Therefore, we recommend that the notification requirements of § 74.24(g) be amended to require prior frequency coordination.

Further, MSTV and NAB support the Commission's proposal to include procedures in the rules to designate a frequency coordinator for short-term operations at special events, so long as such designation is only granted following a formal request. Also, because there is no demonstrated need for changing the 720-hour per year per frequency limit or to require stations to log and track annual short-term operations, the Commission should refrain from amending its rules. *Notice* at ¶ 53-54. This system has worked well over the years and there appears to be no need to make changes at this time.

2. TV Studio-to-Transmitter Links (STLs) and TV Relay Stations Using UHF-TV Channels.

MSTV and NAB support the Commission's proposal to codify operational requirements for TV STLs and TV relay stations operating on secondary basis in UHF-TV spectrum (*i.e.*, require engineering analysis where EIRP is over 35 dBW, antenna has 3 dB beamwidth of more than 25 degrees, or polarization is not vertical). *Notice* at ¶ 55. We believe that codifying these requirements into the rules (and also the ULS) will help identify applications that are thinly-veiled attempts to license facilities whose purpose is to supplement the coverage of an LPTV station.¹⁷ Moreover, MSTV and NAB believe that the use of vertical polarization is not sufficient to prevent reception by consumer receivers. We urge the Commission to require that these links be encoded in such a manner (either by scrambling or through the use of an alternate modulation system) to ensure that the signals transmitted cannot be received by consumers. And in light of the planned reallocation of channels 52-69, we endorse limiting future BAS use of the UHF band to channels 14-51.

C. Updating BAS Rules For ULS.

MSTV and NAB do not object to most of the Commission's proposals to adapt certain sections of Part 74 to conform to the application processing procedures contained in the ULS. *Notice* at ¶¶ 74-81. We support the cross-reference of BAS rules to Part 1, subpart F and the Commission's proposals for TV and aural BAS licensees to follow Part 101 forms and procedures and for Remote Pickup BAS licensees to follow Part 90 forms and procedures.

¹⁷ See *Petition for Rulemaking* filed by the NAB, RM-7568, June 11, 1990. Among other things, NAB asked the Commission require that that facilities authorized under 74.602(h) be constructed so that their signals could not be received by consumers in order to stop abuses by LPTV stations who were using these facilities not as STLs, but rather to augment the LPTV stations' coverage.

Further, we see no problem with modifying the BAS construction periods from the 3-year period applicable to broadcast stations to 18 months for TV and aural BAS and 12 months for Remote Pick-up BAS. We also do not object to the proposed requirement that requests for Special Temporary Authority (“STA”) to conduct broadcast auxiliary operations comply with Part 1 formal application procedures. We also support updating the emission designators in Part 74 to conform to International Telecommunications Union (“ITU”) specifications.

Further, MSTV and NAB generally support the Commission’s proposal to amend the BAS rules to designate modifications to BAS licenses as major or minor in accordance with current ULS standards. *Notice* at ¶ 79. However, Section 1.929(d)(1)(i) of the Rules contains a provision that classifies the change in location of a transmitting antenna of up to ± 5 second in latitude or longitude (which represents a distance of approximately 650 feet) as a minor change. We believe that this provision could cause problems for point-to-point links operating in frequency-congested areas. Links in these areas are often “sandwiched-in” and employ highly directional “category A” transmit and receive antennas. Allowing a relocation of up to 650 feet without first engaging in full coordination could be disastrous. Thus, MSTV and MAB urge the Commission to require licensees to fully frequency-coordinate such a move to ensure that such a “minor” change does not cause interference to other BAS services.

The Commission denied NAB’s Petition in its *Memorandum of Opinion and Order*, FCC 95-129, adopted March 29, 1995.

IV. ALLIANCE OF MOTION PICTURE AND TELEVISION PRODUCERS' PETITION.

Finally, in response to the *AMPTP Petition*, the Commission proposes to amend its rules to permit TV and film producers to use Wireless Video Assist Devices (“WVADs”) on unused upper VHF and UHF spectrum, subject to specific conditions designed to address concerns raised by broadcasters (NAB and The Society of Broadcast Engineers) and other users of the spectrum (or adjacent spectrum). *Notice* at ¶¶ 83-109. Those conditions include: (i) certain eligibility requirements; (ii) limits on available frequencies; (iii) a non-interference requirement; (iv) a 250 milliwatts ERP limit on signal strength, and requiring that the transmitting devices contain a fixed antenna; (v) application of TV BAS emission standards; (vi) requiring a 129 km distance separation from TV broadcast stations on the same frequency; (vii) an obligation to notify the local broadcast coordinator (or individual stations on adjacent channels within 100 miles) at least 10 days prior to use of a WVAD in an area; (viii) a station identification requirement; and (ix) requiring equipment certification under Part 2 of the Rules. The Commission seeks comment on whether these conditions are sufficient to protect existing users. *Notice* at ¶¶ 96-109.

MSTV and NAB applaud the Commission’s effort to ensure that WVADs operate on a non-interference basis with the licensed radio services in the UHF band; thus, we no longer oppose the use of WVADs under the conditions set forth in the *Notice*. However, we continue to be concerned with the potential for WVADs to cause significant interference to other authorized low power BAS operations – such as wireless microphones and Individual Fold Back (“IFB”) systems – even with the measures proposed. Our concerns are based on the Commission’s

proposal to require WVADs to merely *notify* the local frequency coordinator 10 days prior to commencing operation. We do not agree that notification is sufficient to avoid interference; nor do we agree that non-response from a coordinator should be considered as approval. *Notice* at ¶ 107. Under these rules, a WVAD licensee could simply leave a message on a local frequency coordinator's voicemail and then go forward with its operations believing that it is safe, but without full knowledge of other low power usage in the general vicinity. MSTV and NAB urge the Commission to require full frequency coordination through the local broadcast coordinator in order to ensure non-interference.

V. CONCLUSION.

For the reasons stated above, MSTV and NAB fully support the Commission's objective of revising and conforming the BAS rules with its rules for CARS and FS and its proposal to allow digital modulation on all BAS bands. In light of our transition to digital television, we urge the Commission to amend the BAS rules explicitly to allow for digital modulation on all frequencies, and to grant a "blanket waiver" for all stations to use digital modulation on an interim basis. MSTV and NAB are concerned about the uncertainty and pace of the deployment of digital technology in the 2 GHz band. Thus, we urge the Commission to proceed slowly with adoption of new digital technical rules for this band.

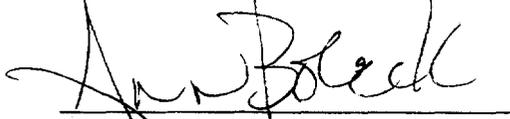
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frequency modifications, whether minor or major, to ensure the change does not cause interference to other BAS services.

Finally, while MSTV and NAB no longer oppose the use of WVAD as proposed by the *AMPTP Petition*, we are concerned with the potential for WVAD interference to low power BAS operations. Thus, we urge the Commission to require full frequency coordination through the local broadcast coordinator to ensure non-interference.

Respectfully submitted,

NATIONAL ASSOCIATION OF
BROADCASTERS

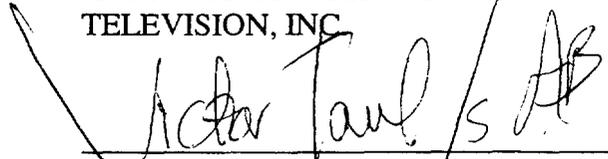


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