

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

In the Matter of )  
 )  
Review of the Emergency Alert System ) EB Docket No. 04-296  
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 )  
To: The Commission )

**Reply Comments of the Society of Broadcast Engineers, Inc.**

The Society of Broadcast Engineers, Incorporated (SBE), the national association of broadcast engineers and technical communications professionals, with more than 5,000 members world wide, hereby respectfully submits its reply comments in the above-captioned notice of proposed rulemaking (NPRM) relating to the Emergency Alert System (EAS).

**I. Comments of American Foundation for the Blind (AFB)**

1. SBE agrees regarding the need for “*Relevant emergency information*”: It has long been the position of SBE that one of the major short-comings of our EAS system is the lack of specific relevant information in textual form in the EAS message. There is often a great ‘disconnect’ between the generic information contained in the digital Header Codes (which is almost exclusively used to drive TV crawls) and the information contained in the voice portion of the EAS message. It’s almost as if EAS were designed for radio only! Even though they receive the voice message, very few television stations and cable companies have the time or man-power to transcribe the event specifics contained in the voice message into a character generator so as to inform those that are hearing impaired. This results in ‘TV crawls’ that range from overly specific to outright misleading! The solution to this issue is the addition of textual information containing essentially the same information as the voice message being transmitted within the EAS message. This change alone will permit emergency managers or other governmental authorities to effectively communicate with the hearing impaired.

2. SBE does not agree that there is excessive reliance on analog communications. We agree that there are needed upgrades. However, SBE submits that the problems are not with the modes of transmission but rather with how the modes of transmission are used.

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### **II. Comments of American Teleservices Association (ATA)**

3. SBE does not agree with the contention of ATA that EAS employs "*Antiquated technolog*" and public warning messages should come from established 'Call-Centers.' SBE understands the value of adding additional "layers" of warning systems in ways that are proven to enhance the viability of a public warning system.

4. SBE feels that the best method for the distributing emergency public warnings is via point–multi-point wireless systems such as NWR or broadcast radio or television. These methods, using "antiquated technology," have the ability to notify millions in seconds, something no telephony-based system can ever hope to achieve.

5. SBE would like to point out that in times of disaster, large storms, earthquakes, *etc.*, that conventional landline and wireless telephony have proved themselves to be unavailable for a considerable period of time. While there may well be a role for telephony based warning systems, such as reverse 911 systems, these systems should be considered to be just another tool in the emergency manager's toolbox.

### **III. Comments of the Association of Public Television Stations (APTS)**

6. SBE welcomes the APTS offer of the use of a portion of the DTV digital spectrum to enhance the mission of EAS. This is yet another example of how by working together we are able to all contribute to the common good. SBE, in its call for the creation of a stakeholders group (PWSAC), foresaw the integration of system like this. What is needed here is leadership, at the highest level, to bring these parties together so that their contributions may be combined to create a better and more effective public warning system. The role of government as a facilitator can clearly be seen here.

### **IV. Comments of Edward Brouder, Chairman, New Hampshire SECC**

7. Mr. Brouder notes that New Hampshire continues to base its EAS plans on a daisy-chain system similar to the old EBS. Many states, like New Hampshire, have been left with little or no instruction as to how to build an effective EAS. This is the basis for many of the calls for leadership and training.

8. Mr. Brouder recites a familiar sentence: "*The National Weather Service originates the vast majority of EAS traffic. While frequent messaging is part of their mission, it is incompatible with EAS because of the frequency of use. Excessive EAS activations desensitize listeners and*

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viewer. “ SBE notes that this is a common complaint by many broadcasters and is but one of many issues that need resolution.

9. Mr. Brouder states that EAS is not outdated; SBE only partially agrees with this statement. We feel that there are several aspects of EAS that need to be upgraded, specifically the addition of textual transmission capability to augment the voice portion of the EAS message.

10. We do agree “*The system could be enhanced considerably if state and local government were more invested in it.*” SBE calls the Commissions attention to the following comment: “*During 12 years as Chairman of the New Hampshire SECC I have never received one word of communications from the FCC about the role, or importance of, PEP in our state emergency planning.*” SBE submits that this is yet another example of how the Commission has left the states to “fend for themselves.” We ask is it any wonder that our EAS system is in the condition we find it?

11. Mr. Brouder states “*Whenever geographically possible, we ask stations to monitor one or more originating sources directly rather than an LP-1.*” This is another example of how a state, attempting to improve EAS on its own, has elected to abandon the ‘LP Concept.’ Again we call upon the Commission to follow the path that the State of Washington started back in 1997 and to re-design the EAS message distribution system around distribution systems, State and Local Relay Networks, and abandon the daisy chain once and for all.

12. Mr. Brouder states “*In theory, FIPS codes should filter out many stations that don’t need to rebroadcast the information but it will be almost impossible to adequately train every local emergency planner in their proper use.*” This statement underscores one of the major reasons why broadcasters are opposed to any form of EAS must carry. The bottom line is that the ‘input side’ or sources of EAS messages are simply not up to the task. Resolving this shortcoming should be very high on the government’s EAS to-do list.

13. Many have called for NWR to ramp up its role in EAS and some have suggested that there should perhaps be a replacement for the existing PEP system. Mr. Brouder states “*New Hampshire has four NOAA stations, all with relatively low power. Many areas of our small state simply can’t monitor NOAA for a usable rebroadcast signal.*” SBE feels that NWR can and should play a major role in any future EAS/public warning system, however, it is clear that the system must be improved. We find it interesting that these coverage ‘gaps’ are not just ‘out-west.’

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14. We are pleased that Mr. Brouder agrees with SBE with his statement *“The size of an emergency isn’t dependent on the size of a station or marketplace. The level of participation should be uniform throughout the broadcast industry.”*

### **V. Comments of Terry A. Cowan**

15. SBE agrees with Mr. Cowan in that the FCC should not mandate participation in state or local EAS alerts. Such a requirement would require participation in a dysfunctional system that would be counterproductive to the information needs of citizens.

16. Mr. Cowan brings up a good point, something not addressed in this proceeding, the fact that radio broadcasters do not always relay an entire EAS message (unless they are operating unattended). The preferred method used by most radio broadcasters is to transmit the EAS message without the transmission of the digital ‘header’ information. As Mr. Cowan points out *“few if any members of the general public utilize receivers cable of decoding the alert tones and data.”* This is an issue that the Commission may wish to address in a future proceeding.

17. Mr. Cowan expresses concern about excessive activation of EAS by NWS. SBE is well aware of the considerable concern by broadcasters regarding this problem. Our experience has shown that this matter can be partially addressed by the following:

Active participation by NWS and broadcasters in their applicable SECC and/or LECC

Better utilization of location (FIPS) codes on the part of the NWS

Better understanding and use of the programming attributes of broadcasters' EAS decoders.

### **VI. Comments of Cox Broadcasting**

18. SBE is pleased that Cox too sees the need for clear guidelines for various elements of EAS. We agree with Cox that *“Replacing or rebuilding such an infrastructure from the ground up would be unnecessary, economically unreasonable, and waste valuable time in achieving a technologically sophisticated emergency notification system.”*

19. Cox expresses concern about alerts that are not targeted to impacted areas, adding *“A clear protocol as to who, when and how alerts are initiated is fundamental to the effectiveness of the EAS.”* SBE agrees. We have experienced numerous situations where the coding of an emergency message is unnecessarily broad, thereby involving broadcast stations outside the area of concern. This issue is a matter of proper use of the Location Codes in the encoding process;

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alternatively, there is often a lack of understanding of how to properly program decoders. Normally these are issued that are handled by a LECC or SECC. But lacking training and guidelines it's easy to see how this kind of a problem could create a bad image for EAS in general.

20. Cox expresses concern "*If the public is inundated with emergency alerts, many of which have not relevance to them, the public may begin to disregard the emergency alerts and broadcasters then run the risk of the public falling prey to the problem of the 'boy who cried wolf.'*" Cox is very correct in this concern. The solution to this can come via effective SECCs and/or LECCs. The problem is that in many areas these EAS steering committees simply do not exist, or they consist of one person trying to 'hold it together.' This is again a distinct call for leadership, structure, guidelines and training.

21. On page seven, Cox effectively joins SBE's call for the end of the daisy chains (broadcast stations monitoring and relaying the output of other broadcast stations for the benefit of other broadcast stations). The concept of the CPCS station was scrapped with the introduction of EAS and the in Local Primary (LP) stations. Unfortunately most areas attempted to employ this concept (Washington State the notable exception). The results have been mixed at best.

22. SBE agrees with Cox that digital radio and TV should have EAS in their program streams but not in their auxiliary data streams. The goal of being able to reach radio listeners and TV viewers with emergency messages should remain the same, regardless of the mode of transmission.

### **VII. Comments of Bill Crogham**

23. SBE is concerned about what is viewed as "*excessive alerts comment from the NWS or overzealous local emergency management.*" SBE submits that much work is needed to correct what is a very typical broadcaster complaint about EAS. The fact that there are very few if any guidelines for dealing with this issue tends to create a situation where broadcaster participation in EAS is discouraged rather than the other way around. This is a situation that demands attention at the highest possible level.

24. Mr. Crogham also calls for the creation of "*Back Bone distribution systems.*" This echoes SBE's call for national attention to the need for state and local Relay networks that will link governmental entities to the electronic media. In many respects, NWR can be considered a backbone or distribution system. Similar technologies have been installed in some states and have proved to be worthy of serious consideration for national implementation.

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25. SBE agrees with Mr. Crogham that “*we need to expand the alerts so that those listening to satellite radio, Cable televisions and non broadcast systems can be alerted.*” A great deal has changed since the creation of EAS. The goal of reaching citizens by all possible means should be realized.

26. SBE agrees with Mr. Crogham “*Those that are authorized to alert on this system must be held accountable and the alerting procedures must remain secure to prevent false alarms or intentional misuse of the system.*” SBE is not aware of any attempt to mislead citizens or create nuisance or false EAS messages, however we are aware of a number of ‘preventable’ mistakes that have been made by governmental employees who ‘apparently’ fail to take their role seriously enough to preclude this type of activity. This results in a significant reduction in the image of EAS on the part of broadcasters, yielding lower participation levels, which is counterproductive. SBE submits that this issue can be mitigated through training and supervision, something that is tragically lacking in many areas.

### **VIII. Comments of Digital Alert Systems, LLC**

27. SBE is pleased that this firm elected to consider SBE’s recommendation as to the addition of text transmission to EAS in 2001 and to develop a product that will do just that. In reviewing the comments to this NPRM SBE is pleased to see that we are now not the only party calling upon the Commission to add this critical element to the EAS system.

### **IX. Comments of Forthright Solutions**

28. Forthright echoes SBE’s position “*The public should have as many methods for receiving the alerts as possible to insure that they are always informed, no matter what the circumstances.*” SBE appreciates this support.

29. SBE supports the idea put forth by this commenter that integration of NWR receivers with smoke detectors has merit. We feel that one of the results of a combined effort involving all stakeholders will be the recommendation for the inclusion of additional NWR receiving equipment, with intelligent decoders, in an array of consumer devices. We agree with Forthright that government support is a good idea.

30. We agree that the coverage of NWR may reach 90% of the population, however, this falls short of reaching the entire land mass of the country with vast areas of the west with no NWR coverage whatsoever. Correcting this shortcoming should be a high priority.

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31. SBE is also concerned about redundancy. We have no information as to the reliability of NWR equipment, whether they are redundant transmitters at each location, auxiliary power, nor where the single point of failures might be. SBE feels that with the increase reliance of NWR that these issues receive close inspection.

### **X. Comments of Harris Corporation**

32. SBE agrees that state and local governmental entities should have access to the EAS system. SBE does NOT agree that this access should be mandated for reasons previously stated.

33. SBE supports the development of MCAP.

### **XI. Comments of Paul Howard-Thurst**

34. On page three, under recommendations, this commenter suggests that the technology of addressing consumer electronic equipment needs to be refined. The suggestion is that a method of entering FIPS or ZIP codes into consumer equipment be included. SBE agrees.

35. SBE wishes to point out that there is much more can and should be done via coordinated use of Location or Zips codes. Originators of EAS messages need to make better use of these codes so as to specify where the message is applicable. This will help mitigate the concerns of broadcasters that feel originators are 'shot-gunning' messages, or directing them to excessively large areas.

36. Broadcast and cable operators need to better understand the flexibility that is afforded by making better use of their decoders so as to not be bothered by messages that are not meant for them. Consumer electronic equipment, including NWR receivers, need to have programmable decoders permitting the owners of this equipment to 'instruct' the device as to its physical location. Mr. Howard-Thurst submits that these consumer decoders should be able to be programmed for this purpose. SBE agrees.

37. The suggestion that zip codes be used to program EAS/SAME decoders in consumer equipment is something that should be explored, as this would enable citizens to easily determine how to program their unit. Even a supplied table that would convert ZIP to FIPS would be useful.

38. SBE encourages the Commission to work to develop standards for consumer EAS/SAME decoders so as to ensure that the full capability of the system might be realized.

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39. SBE agrees that even if a feature like this were to be included in various consumer electronic devices, that provisions should be made to turn them off.

40. SBE agrees with the statement “*It is not recommended that telephone, cellular phones, pagers or other such devices be relied upon to disseminate EAS messages.*” As SBE has pointed out, these systems not only lack the ability to provide point to multi-point messaging due to their architecture, but history has proved that they are prone to failure during disasters.

### **XII. Comments of Intrado, Inc.**

41. SBE contends that the comments of Intrado are flawed for the same reasons as those of ATA. SBE does agree that in certain circumstances wireless system may be able to evolve into a valuable tool in the "tool box." Nextel and perhaps other wireless providers have demonstrated limited ability to essentially "broadcast" information to a number of their subscribers. These systems fall far short of the ability of NWR to alert millions 24/7.

### **XIII. Comments of Liberty Corporation**

42. SBE agrees with the comment “The current daisy-chain system has inherent vulnerabilities that compromise the effectiveness of the EAS.” SBE feels that the role of broadcast Stations should be as a link to the public and not as relay devices for other broadcast stations. As the comment points out, the daisy-chain system introduces unnecessary delays and vulnerabilities.

43. SBE urges the Commission to move away from the use of broadcast stations as relay facilities (The Local Primary (LP) station) in preference to the use of dedicated distribution facilities, such as the SRNs and LRNs.

### **XIV. Comments of NAB and MSTV**

44. In its Executive Summary NAB and MSTV reference foundational issues when they note MSRC’s recognition that “*emergency communications plans must take into account the probability of widespread power outages when AM and FM radio is the ONLY WAY to communicate to battery powered receivers in the community.*” SBE urges the Commission to always keep this fact in mind when considering ever more complicated and sophisticated system proposals. The old principle of ‘keep it simple’ certainly has application when it comes to the transmission of emergency information to citizens when times are bad. When the power is out, the phone is dead, getting official information to citizens is critical. As has been proven many

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times over, and as NAB/MSTV have stated, it's the battery powered radio, perhaps in a vehicle, that remains the life-line.

45. SBE agrees with NAB/MSTV that there are better ways to ensure broadcasters compliance with EAS matters. SBE submits that when broadcasters can see a more viable EAS taking shape that their level of compliance will increase as well.

46. SBE supports NAB/MSTV regarding the enhancement of home entertainment equipment and the possible integration of NWR receivers and decoders.

47. SBE supports the efforts of NAB/MSTV to have the Commission correct the situation that exists with regard to cable override. It is important to understand that the majority of EAS messages are designed for local consumption. The present situation is counter productive to that reality. A system of 'selective override' will permit a 'full-news' TV stations to provide its viewers with vital critical information.

48. SBE agrees with NAB/MSTV the mandatory requirements will not improve public warning. As SBE has stated, we are a long way from the day with this should even be considered. Our first action must be to repair the dysfunctional systems that should be supplying the broadcasters with EAS messages.

49. SBE agrees with NAB/MSTV's comment *"insufficient funding for state and local emergency planners is the root of the problem. One cannot merely 'fix' the EAS system through broadcasters mandates alone."* NAB/MSTV quote one of the conclusions of MSRC: *"One of the best methods of ensuring robust, yet targeted emergency warning was the establishment of jurisdiction/market cooperatives to assure delivery of local government emergency messages."* SBE agrees with this statement. The reference is to strong and effective State and local EAS committees (SECCs and LECCs). In some areas of the country these groups exist, in others there is only one person trying to keep things together. Worse yet, in some areas there is no one performing the task. Underlying this issue is a lack of Federal leadership and training. SBE has been attempting to bridge this gap in the past several years on a volunteer basis, but we are like the proverbial 'finger in the dike' calling for help.

50. NAB calls for the Commission to *"encourage local broadcasters and state and local officials to partner, such as in New York."* SBE agrees. However the FCC's roll in encouraging the development of SECCs and LECCs (EAS committees) has been limited to references in Part 11 of its rules. Meanwhile the Commission has spent years telling everyone that their role does

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not go beyond the National/Presidential Message/EAN. SBE agrees that someone needs to step forward and lead this effort. SBE, however, is not sure that it's the FCC.

51. SBE agrees with NAB/MSTV that *"there must be adequate checks and balances to ensure that the American public will not be subjected to continuous interruptions of programming that have no impact on their safety due to over zealous or careless state/local officials."* SBE sincerely hopes that the Commission will understand that this is one of the core issues in this NPRM. Broadcasters, rightly so, are concerned that the public is indeed warned of pending danger, however, they are also concerned that there are no controls over those that may elect to 'cry wolf.' SBE submits that this is another reason why the stakeholders must come together in an organized manner to discuss these issues and the solutions that they demand.

### **XV. Comments of the Named Broadcasters Association**

52. SBE agrees with the comment *"...there is urgent need to education various sections or state and local governments about the critical need for reliable, redundant and effective public warning systems at all levels."* SBE has determined that there is a significant lack of understanding of how EAS can function as a public warning system in many regions and levels of government. Not only do many of these government entities fail to understand how EAS can function, they have done little or nothing to develop warning systems utilizing the EAS.

53. SBE agrees that *"There is simply no suitable substitute for government agencies, broadcasters and others to work together cooperatively to reach voluntary, detailed agreements that are individually tailored by market."* It is clear that where Broadcasters, State and Local governments work together significant and effective EAS systems are created. At issue is the fact that this is not always the case. SBE commends the work of many of the state broadcast associations, however despite their best efforts; a functional EAS system requires the active participation and support of state and local governments in order to create an effective EAS at that level. The tragic fact is that this critical element is often lacking.

54. The State Associations point out the *"design flaw inherent in the daisy-chain dissemination system."* In its comments SBE called for replacing these relic's of the past (one of the most criticized aspects of EBS) with distribution systems that SBE calls Relay Networks. These systems operating at the state level (State Relay Network or SRN) and at the local level (Local Relay Networks or LRNs) are proven enhancements of the EAS. Some states have provided their own SRNs using terrestrial systems while others have contracted with outside providers (ComLabs, etc.) for satellite systems. At the local-level, the Local Relay Network, a

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distribution system that enables local EAS/public warning messages to simultaneously be delivered from local governmental entities to all electronic communications systems, has enabled EAS to function effectively. SBE urges the Commission to move away from the concept of the LP station and embrace “*state of the art, reliable, effective public warning dissemination networks.*”

55. Regarding the National EAS System, SBE shares the State Associations' concern with the lack of redundancy in the system and urges the Commission to explore the use of satellite systems.

56. The SBE shares the State Associations concern regarding education and training. The SBE has a great deal of experience in this area and agrees that this is an area that is in urgent need of a larger scale educational effort and the funding that it requires.

57. SBE agrees “*What is not needed is more regulations on broadcasters.*” What is needed is for the Federal Government to work with State and Local Governments to encourage them to do their part to create effective EAS plans and systems. Effective EAS systems require participation by all the involved parties.

58. SBE agrees with the State Associations that the Commission “*should not adopt a requirement that broadcast EAS essentially turn over their stations to State and local governmental authorities for emergency messaging.*” Such a requirement would establish a requirement that a broadcast station be controlled by a governmental entity for which there are no established and uniform controls and procedures. In the case of a broadcast station with a large coverage area, it is possible that such a rule could involve a multitude of local governmental entities, each with differing and conflicting agendas and expectations. In short, the potential of such a rule to create a chaotic situation is very real.

59. SBE understands the rationale of having an EAS system whereby emergency managers could count on the delivery of potentially life saving messages by the broadcast industry. SBE submits that any discussion of such an arrangement is significantly premature in light of the fractured and dysfunctional structures that exist at various state and local governmental levels.

60. SBE submits, as evidenced by the comments of the state associations, that broadcasters have historically been willing to participate in the delivery of public warnings, when needed, on a voluntary basis. As the state associations have pointed out, the Amber program enjoys significant broadcaster participation “*with no mandatory carriage requirements.*” SBE urges the Commission to apply ‘the lessons of Amber’ to this proceeding.

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61. SBE agrees with the state associations' objection to the cable override issue. We feel that to deny citizens access to enhanced emergency related broadcast programming in favor of a minimally participating cable operator is not only short sighted but counter productive to the welfare of our citizens. The structure of many of today's cable system is such that their 'input points' are often some distance removed from the areas that they serve. This 'disconnect' essentially denies the opportunity of local television viewers to receive information. SBE supports the contention that "*These practices must stop immediately.*"

### **XVI. Comments of National Center for Missing and Exploited Children (NCMEC)**

62. SBE agrees that the Department of Homeland Security (DHS) is the logical federal department to oversee an enhanced EAS/public warning system. We feel that under DHS, certain other federal departments, commissions and agencies will be able to effectively administer and coordinate the operation of the EAS.

63. NCMEC states "*The success of the program depends on teamwork. Amber is teaching us about the power of partnerships between law enforcement agencies, radio and TV stations and Cable Systems, government and non-government entities and the community. NCMEC believes these AMBER partnerships serve as a shining example of how local officials can work together on all matters of emergency preparedness.*" SBE feels that the above statement speaks volumes about the task that is before us. It underscores the value of our EAS system and teaches us that we have yet to explore what good can come from the system. One only needs to look at what can be done and conclude that "great achievements require hard" work is a very true statement. We can all be proud of what we have accomplished with AMBER. The success of this program should serve to bolster our contention that a great deal more can be done. The major difference between Amber and the rest of EAS has been leadership and clarity of mission. Let this be a lesson for us all as well all work together in the future.

64. The success of Amber as a voluntary program needs to be appreciated. SBE agrees with NCMEC that it does not take increased fines and penalties but rather increased leadership and clarity of mission and effective use of SECCs and LECCs for the other facets of EAS to flourish as well.

65. To enhance the AMBER program, the State of Washington SECC, in cooperation with other states, created what is known as the Amber Web Portal. This system does not replace EAS but enhances it. The emphasis for the creation of this system was the desire of a group of

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volunteers to improve the way we deal with the issue. SBE submits that AMBER has clearly demonstrated not what is wrong with EAS but what is RIGHT with it.

### **XVII. Comments of Ohio Emergency Management (OEM)**

66. SBE agrees with OEM that EAS must be designed to effectively deliver emergency information in a timely and highly reliable manner. SBE is concerned by what is meant by "strict standards." SBE does favor guidelines to help achieve consistency.

67. SBE agrees that where EAS is successful that the success was due to having effective state and local EAS Committees (SECCs and LECCs)

68. SBE does not agree with OEM that participation in EAS be mandatory for reasons already expressed.

69. We do agree that NWR should be added to the existing two required monitoring assignments. SBE wishes to point out that the requirement to monitor two sources was to satisfy the requirements for the structure of the National Level EAS as outlined by Part 11. SBE submits that a robust EAS system that deals with state, local and weather information requires that broadcast Facilities monitor more than two sources. Further, we feel that to avoid the 'daisy-chain' that broadcast stations and cable systems should always attempt to monitor the source directly as opposed to reliance on other broadcasters to relay the information to them. The elimination of the daisy-chain may well dictate the monitoring of three or four sources. The up side to this will be the creation of a much more robust EAS system.

70. We agree with OEM that the EAS system is compromised by the lack of uniform decoder capability and that future upgrades should be required.

72. We agree with OEM's statement "*Future system expansion should consider the generation of a crawler containing the entire content of the EAS message.*" This is exactly what SBE has been calling for with its recommendations that a text version of the voice message be included in the EAS message package.

73. We agree with Ohio regarding the testing of the National system by the use of an RMT.

74. Ohio suggests that the word 'county' be added after the county name as stored in decoder's firmware. This suggestion has a good deal of merit and should be considered by the Commission.

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75. OEM suggests that NWS adopt an NWS code when broadcasting non-weather messages. It is SBE's understanding that NWR will be broadcasting 'civil' messages using the CIV originator code.

### **XVIII. Comments of Pappas Telecasting Companies**

76. SBE Agrees with Pappas *"that the FCC should not require broadcasters to turn control of their stations over to state and local officials..."* Pappas points out *"Many state and local emergency managers have not adopted emergency plans..."* SBE notes that before any such control is contemplated, much work must be done, on the part of state and local governments, to create viable EAS plans and systems. When this is accomplished, it is very likely that Broadcasters will then be eager to participate on a voluntary basis.

### **XIX. Comments of the Primary Entry Point Advisory Committee (PEPAC)**

77. First, SBE wishes to recognize and thank PEPAC and its participating stations for their contribution to EAS.

78. PEPAC states *"However, the original plan for PEP did provide coverage into each state, though sometimes less than satisfactory signal levels."* SBE submits that the PEP system is woefully inadequate as a national distribution system. We submit that the FCC, using its own resources, knows well that this network of AM radio stations falls very short of being anywhere near a national system, especially at night. The Commission, without specific instructions and/or funding, left it up to the states to 'fill in the gaps.' If it had not been for the voluntary participation of NPR, filling those gaps, we would not have anything close to a nation wide system.

79. SBE agrees with PEPAC that a point to multi-point distribution system is preferred. We further agree with PEPAC that it is radio that is the best vehicle for the dissemination of emergency information. This was proved in this past year of hurricanes in Florida. It is critical that we remember that the battery-powered radio is the method used by citizens when nothing else works.

80. We agree with PEPAC that the PEP system could be substantially enhanced by adding additional stations, however we do not agree that a relatively small number of stations will resolve the problem. SBE submits that additional stations should be just part of the improvement program. Redundancy is a vital factor in this area of planning. We feel that the

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PEP program could be considerably enhanced with the addition of the facilities of NPR, XM and Sirius satellite delivery systems.

81. SBE recommends that the use of NOAA Weather Radio be investigated as a vehicle for the distribution of National/Presidential messages.

82. As for testing EAS on a national basis, SBE believes that all EAS systems should be tested end-to-end periodically. We recommend that the system be tested nationally at least annually, using the conventional RMT for the month that the national test is scheduled.

### XX. Comments of Ken Putkovich

83 Mr. Putkovich states *“Rather than trying to mold the EAS into something that it can never be, efforts should be directed to making existing NOAA NWS infrastructure the backbone for a National Emergency Warning System, NEWS.”* In general, SBE agrees. There are certainly a number of merits to this proposal. We feel that is wrong to put all our emergency warning ‘eggs’ in one basket, therefore we submit that this issue should be given great study along with other proposals and rather than choosing the best ONE, that the best TWO be chosen. This proposal would work very well with the recommendation that SBE has made that NWR be a required monitoring assignment for Broadcast EAS purposes.

84. Mr. Putkovich states that *“Broadcast EAS is not an effective and efficient warning system.”* SBE wishes to point out that this depends on the basis of what an effective warning system is. We maintain that an effective warning system is one that does not utilize a singular facility. Our goals should be to utilize all the electronic systems we can to reach our citizens. Certainly there are advantages to NWR with its interconnection to government communications circuits and its base of receivers that can wake us up in the night. Just as there are advantages to broadcast radio with its base of millions of receivers at home and in vehicles.

85. SBE submits that rather than put-down one system or the other, we should be looking for ways to integrate all of these systems for the common good.

86. Mr. Putkovich states *“Broadcasters rarely activate EAS.”* This statement is only partially correct. It is true that the "attended" broadcast stations usually prefer to convey emergency warning information via their on-air personalities or via a TV crawl. However, this is not a true statement for those broadcast stations that operate unattended. SBE agrees with the assessment that broadcasters find it difficult to deal with the intrusive nature of EAS messages, but this blanket statement does not speak for all broadcasters. Many broadcasters have

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demonstrated their willingness to ‘drop everything’ to broadcast emergency messages. The point could be made that this has been taking place before NWR was ever thought of.

87. SBE does agree that the role for NWR is great, if not critical. As we have pointed out, EAS or public Warnings are not just a broadcast thing anymore. Public warning in this day and age simply must be a cooperative venture, and NOAA must be a critical team player.

88. SBE agrees with Mr. Putkovich that emergency messages must evolve to be in both voice and text formats. With our telecommunications infrastructure moving increasingly in the direction of text enabled everything, so must the protocol for EAS include this means of communications. We should have done this back in 2002, however. its never too late.

### **XXI. Comments of RadioShack**

89. SBE is pleased that RadioShack agrees with SBE that the Commission should support the combination of broadcast EAS and NOAA Weather Radio. A few forward thinking SECCs recognized the value of working together and have proved in Seattle, Salt Lake City and other cities the viability of combining the efforts of EAS and NWR.

90. SBE agrees with RadioShack which states *“Only after current capabilities are fully employed to protect the American public, should the government begin considering newer technologies that might be used to augment the system.”* SBE also agrees with the Radio Shack statement *“RadioShack urges the Commission to consider EAS in conjunction with the NOAA Network as two interconnected system that together represent the basic mechanism available for warning the American public.”*

91. SBE also supports the following statement *“Both the NOAA and EAS systems have been in existence for decades, their effectiveness has been tested and their refinement advocated in a number of government-sponsored reports. Given the demonstrated success of these systems, it is unclear why further study on how to reach the public is necessary of in the public interest and there is a danger that it could delay the full use of the national warning systems that are in place today.”*

92. SBE also agrees with the following *“RadioShack encourages the Commission to work with all federal agencies involved in public warning to initiate additional public education efforts that explain the connection between EAS and NOAA and how these systems provide direct government alerts to the public. It is particularly important for the public to understand that these*

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*alerts are available from a multitude of sources – Including EAS broadcast on Radio and TV, All –Hazards radios, Public Alert Products, CB’s Cellphones, pagers and via the internet.”*

93. SBE would like to point out that not only do citizens not understand how these systems work together, the same can be said about many broadcast and cable operators and government employees at all levels. Simply put EAS is still confused with the color coded alert level, EBS and probably Conelrad as well. This is a situation that RadioShack and SBE cannot alone correct.

94. SBE joins RadioShack in urging the federal government to not only permit but encourage the interconnection of NWR and EAS message distribution systems.

### **XXII. Comments of Rehabilitation Engineering Research Center (RERC)**

95. SBE agrees with RERC *“that EAS needs to be upgraded not replaced.”* We do not agree with RERC that *“...voluntary participation impairs the credibility of the entire EAS.”* SBE submits that the reason why voluntary participation by broadcasters with EAS has much more to do with the general condition of state and local governments and their ability to utilize EAS. As an example, AMBER programs operate very effectively across the country. The question that needs to be asked is "What do broadcasters have to voluntarily participate with?" In many case the answer is ‘nothing.’

96. SBE agrees with RERC *“Mandatory plans along with periodic training, would help ensure that officials are better trained during emergencies.”* At present there is no requirement that state and local governments have an EAS plan or utilize an existing EAS system. SBE knows of large states whose Emergency Operations Center (EOC) is an 8 to 5 Monday through Friday operation.

97. SBE agrees with the RERC that understanding and consideration for persons with disabilities should be factored into their EAS planning. However, without any requirement for such planning, this is a difficult if not impossible task in many cases.

98. SBE is pleased that RERC recognizes the work being done to develop receivers using NWR for the disabled. SBE understands that EAS is no longer a ‘broadcast thing’ and is changing into a multifaceted warning system where redundancy and additional tools are welcome. It is hoped that consideration of the disabled will continue to be in mind.

99. SBE agrees that education and training are important factors in EAS and its own experience conducting EAS workshops around the country have clearly shown that this is a

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critical problem. SBE is concerned that funding requirements be addressed. Without funding all the improvements in the world will still be poorly understood.

### **XXIII. Comments of Tristan Richards**

100. SBE agrees that “*A lead agency must take charge of EAS.*” This call has been echoed by many. SBE also agrees that the system be reviewed on a regular basis. This was the basis of SBE’s call for streamlining the process by which we review and improve the EAS.

### **XXIV. Comments of Sage Alerting Systems**

101. SBE agrees that “*The dissemination to the public should be broadened beyond radio, TV and cable channels to include cell phones, satellite TV, digital radio, DARS, HDTV Channels and any medium which can reach the public in their homes, schools, cars or offices.*” SBE agrees that the new EAS system needs to be much more selective in its reach of the public. SBE submits that what is needed is a means to identify an emergency message by using a means that is commonly understood. Perhaps that common reference term could become zip codes. With the ability to transmit textual information describing the specific location within a county or city, zip codes could be transmitted.

102. The Sage comments, at page five, address the issue of making participation mandatory. As SBE has pointed out, discussion of EAS must carry is extremely premature. It is not that SBE is not concerned about the fact that broadcasting an emergency message might indeed save a life, rather what we are concerned about is giving broadcasters program circuits to state or local government employees for which there are no controls, procedures, instructions, or penalties for doing wrong. Placing the ability to control all the broadcast stations in an area in the hands of anyone is something that requires an immense amount of pre-conditions and pre-agreement. Perhaps one day the time will come for this step, but based on SBE’s experience with EAS, that time is most certainly not now.

103. SBE agrees with the comment calling for a redundant, rugged backbone networks for the transport and distribution of EAS messages to the various locations requiring them. This is in keeping with our call for the development of state and local relay networks.

104. We agree that “*Safeguards must be taken to insure that public warning agencies, at all levels, act responsibly and with security to prevent overuse of the system.*” SBE submits that the fact that we do not have any of these is but just one reason why ‘must carry EAS’ is rejected by the Broadcast Industry.

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105. SBE agrees with the statement *“The only way an emergency alert and warning system can be effective is if it uses multiple communications medium simultaneously to reach the public.”*

106. We agree that the Commission should mandate certain dates for the installation of upgrades to EAS Decoders so as to maintain uniformity.

107. SBE does see some wisdom in having decoder chips in consumer electronic equipment; however, it should be realized that not all broadcasters transmit the EAS header codes when delivering EAS messages. SBE submits that we may wish to consider the inclusion of NWR receivers in this equipment, as was done recently by RCA in one of their TV receivers.

108. The concept of requiring local government to participate with EAS will certainly have some positive effect, but also considerable negative effect in that many local governments consider EAS to be another un-funded federal mandate.

109. The suggestion that there should be rules for engagement has merit. SBE feels that guidelines would be helpful in creating more uniformity; however, what is more critical is education as many consider EAS to be truly "rocket science."

110. The suggestion of means to enable owners of consumer equipment to program their decoders to respond to only those messages meant for them is challenging. SBE submits that rather than FIPS and geographic coordinates (understood by few), that Zip Codes might be a better choice as almost everyone knows theirs or knows how to find out what it is.

111. The suggestion of encryption or otherwise protecting back channel links, or relay networks, is a good idea. But again the question of funding is going to come up.

112. SBE agrees that system evaluation is a strong component in creating a robust system, this is why we test. But these tests ‘should be graded.’ We feel that the responsibility for ‘grading’ or evaluating EAS message performance should rest with the initiator of the message, as only they understand the full dynamics involved.

### **XXV. Comments of SatStream Systems, Inc.**

113. We agree with the comment *“Establish minimal rules that require state and local participation in the EAS.”* Unfortunately SBE has heard the comment that certain local governments will not participate in EAS as they view it as an un-funded federal program. It may well be possible that the lack of enthusiasm for EAS is based on funding issues, it may also be based on the lack of federal requirements, guidelines, *etc.*

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114. SBE pleased with the recommendation that Amateur Radio be more involved with EAS. We agree that the involvement of Amateur Radio operators in EAS is beneficial, in fact, this is a topic area in the EAS workshops that SBE conducts around the country.

115. SBE is concerned about the integration of Amateur Radio repeater systems for the dissemination of EAS messages that may be used beyond those that are listening to a given repeater system. The basis for all EAS encoders and decoders is the regeneration of the EAS digital information at each step. Due to timing issues, its likely that EAS messages transmitted or relayed by Amateur Radio repeaters may not be complete and therefore the use of these incomplete packages must not be relied upon for users 'down-stream.' This is not to say that Amateur Radio systems that employ regenerative EAS equipment could not be helpful in the dissemination of EAS messages, however the costs involved will likely preclude this as a viable option in most cases.

### **XXVI. Comments of Seven Ranges Radio**

116. SBE agrees with the comment "*We need to upgrade the transmission facilities of NWS Radio to better reach the American People.*"

117. SBE does not agree with the recommendation that a new network of alerting stations be established in the FM band. Not that this would not be a good idea, but the congestion in this band may well make this idea impossible.

118. Regarding quality of the audio in some NWR transmissions. SBE agrees that there may well be room for improvement. SBE submits that the standards for the transmissions may well need to be revisited or upgraded.

119. The recommendation of a PAWS radio system is another call for distribution networks, relay networks or background channels to replace the antiquated "daisy-chain." SBE agrees. Governments should deliver EAS/emergency messages to the electronic media.

120. SBE does not agree that uniform guidelines are not needed. We feel that uniformity is critically needed for EAS. Such guidelines will enable the government to uniformly upgrade EAS to its full potential.

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### **XXVII. Comments of Sirius Satellite**

121. SBE commends Sirius for their willingness to join XM and participate in a revamped and improved EAS. SBE urges the Commission to work with both of the DARS providers for the benefit of EAS. We urge the Commission to connect these systems to the National Warning Point via redundant secured systems.

### **XXVIII. Comments of Telecommunications Industry Association (TIA)**

122. SBE agrees with TIA in that the existing EAS should be improved and not phased out in favor of a new alerting model. SBE agrees that the concept of a Common Alert Protocol is sound and needs to be developed.

123. SBE shares the concerns expressed by TIA about the permissive nature of EAS participation, however, as we have stated in our comments, its extremely premature to have any discussions about requiring broadcaster participation in EAS for the simple reason that state and local EAS is not a constant but rather, in many cases, a rag-tag collection of disorganized factions.

### **XXIX. Comments of TFT, Inc.**

124. TFT said it very well in paragraph three of their comments: *“Since deployment of EAS in 1997, there appear to be two significant improvements that need to be made to render the system more robust as a part of a national public warning system: adoption of a protocol for text transmission in and EAS message and proliferation of EAS encoding equipment to emergency managers for the generation of EAS messages.”* SBE agrees completely.

125. SBE agrees with TFT: *“The federal government must take a leadership position in establishing this system.”*

126. We are pleased that TFT supports SBE’s contention that distribution systems (Relay Networks) must replace the daisy-chain distribution system with this statement *“With the cooperation of the FCC, DHS could also designate portions of the spectrum to be used as ‘background channels’ between emergency information providers and emergency information carriers (“conduits”) such as broadcasters and cable operators.”*

127. TFT mentions the system in Washington State where broadcasters and cable operators monitor NWR and where NWR’s weather information can be automatically interrupted by state or local emergency managers to distribute EAS messages to the public. SBE wishes to point out that this ‘direct connection’ to NWR was pioneered in Seattle as a joint project of NWS,

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Washington Emergency Management, and the Washington State SECC. This method of integrating EAS and NWR is now authorized by NOAA for use in the Western U.S. These systems serve to illustrate what can be done when creativity is given the opportunity to make improvements to EAS. SBE encourages the Commission to learn from these and other creative solutions for the benefit of all.

### XXX. Comments of Gary Timm

128. We agree, DHS should be the lead agency for EAS and public warning systems.

129. SBE agrees with Mr. Timm *“It is imperative that a public/private partnership, along the lines of the former EAS National Advisory Committee (NAC) be established, immediately.”* It has been the contention of SBE that it is vital that all the stakeholders in this process be brought together. In reviewing these comments it’s easy to see how much can be gained by bringing together these parties.

130. The concept of “State EAS Liaisons” has a good deal of merit. What is required is leadership at the federal level that can work with the states in the development of effective state EAS systems.

131. Regarding the issue of mandatory broadcast station participation in State and local level EAS, Mr. Timm lists a number of reasons why discussion of this concept is very premature. SBE supports this assessment.

132. Mr. Timm asks the question *“What happens when no one volunteers to work on EAS in a state or local area?”* This is an issue that must be discussed at the highest level for the simple fact that this is the case in a large number of areas. In some cases broadcast or cable operators have stepped forward to lead the effort, in some cases government officials have done so. In all cases, this work is voluntary and is done with minimal instruction and guidance.

133. SBE agrees with the recommendation *“Please be thinking guidelines and models, not edicts and total inflexible uniformity across the nation.”*

134. SBE agrees with Mr. Timm in that if NWR becomes a source of additional civil emergency information or possibly EAN’s, then NWR certainly should be added to the list of required monitored signals by broadcast stations and cable systems.

135. Mr. Timm recommends that PEP be dropped as a primary distribution means. We agree for the simple reasons that it is primarily landline driven and its coverage is limited. SBE agrees

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that NWR could well become the primary means for delivery of national level messages. We would like to also submit that the Commission look at the inclusion of satellite systems such as NPR, XM and Sirius.

136. SBE agrees that all EAS decoders should always have the same ability to decode in the same way. In the future, when changes are made to EAS codes, the Commission should set a firm and not too distant date for universal compliance.

137. The suggestion for permitting up to nine divisions of state codes has a good deal of merit. In the revisions to the county-subdivisions made back in 2002, we dropped the word 'central' from the designations. This change enables a county to be split into up to nine 'segments.' With the incorporation of Mr. Timm's suggestion, it would be easy to code messages for Northern or Southern California, or Western or Eastern Oregon (both commonly used terms).

138. SBE emphatically agrees that the time has come to permit textual transmission of vital specific information within the EAS process. The list of reasons why this must be done is extensive. SBE joins Gary Timm in calling for this change, immediately.

139. Mr. Timm calls for the inclusion of DBS and DARS. We agree. It is heartening to note the comments filed by XM and Sirius stating their willingness to participate.

140. We agree with Mr. Timms statement "*The new public/private partnership committee should investigate involving all services licensed by the federal government into EAS alerting.*" SBE also agrees that the needs of alerting the disabled will be enhanced with the addition of textual information enhancement.

### **XXXI. Comments of Verizon**

141. SBE agrees that there should be national standards and guidelines for EAS. However, we are concerned that there be no illusion that one size fits all when it comes to public warning systems. The great geographic and geopolitical differences across the country dictate that guidelines must be flexible so as to not cause more harm than good.

142. Verizon points out "*...federal agencies such as DHS, FEMA, NEW or NOAA, have little or no relationship with the broadcast industry, which is critical to both designing and implementing an emergency alert system.*" As SBE has pointed out, the need is great to involve all the various stakeholders in this effort to enhance the viability of EAS. The Commission, in Part 11 of its rules, sets out the concept of the SECC and LECCs but then left the ship to wander. What is clearly missing is leadership at the federal level that will function to bring the

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parties together as the Commission envisioned in its rules. SBE is aware of many situations where EAS is alive and well and where SECCs and LECCs function well. As is the case all too often, this is the exception rather than the rule.

143. We agree with Verizon as to the need for guidelines, to the extent that inconsistent procedures are detrimental to the effectiveness of the system. SBE acknowledges that the public switched telephone network (PSTN) may be used for targeted notification. Further, SBE is aware of systems such as "reverse 911." However, the structure of the PSTN is such that the "concentration ratio" used by these systems will preclude any meaningful throughput in areas with substantial population, thereby creating a situation where considerable time can elapse before large numbers of citizens receive telephoned warning messages. Furthermore, in times of disaster the PSTN has a significant history of becoming severely overloaded or otherwise "crashing." Because of these realities, SBE believes that the use of point-to-multipoint wireless systems, such as NOAA Weather Radio and broadcast stations are much more suitable for the task of wide-area public warning.

### **XXXII. Comments of Dr. Peter Ward**

144. On Page five of his comments, Dr. Ward makes reference to a pilot project in Washington State that developed the Amber Web Portal. Dr. Ward is correct that this type of system could well be used to enhance other aspects of EAS for other events. SBE submits that EAS can well be enhanced via multi-system integration. This is in keeping with SBE's recommendations that EAS/Public Warning messages should make use of all present and future electronic communications systems. The use of the Internet for message distribution again underscores the need for textual transmission capabilities.

145. Dr. Ward points out the National All Hazard Consortium (NAHAC), being formed under the aegis of the National Association of States Chief Information Offices (NASCIO), where NAHAC plans a pilot project in two states in late 2004 and early 2005, to expand on the success of the Amber Web Portal Consortium (AWPC), fall into the all-hazard domain. SBE reminds the Commission that this project was started by the Washington State SECC, a volunteer organization, and later involved the services of many other organizations including several state broadcaster associations. The success of this system shows what can be accomplished when people and organizations with good ideas come together to solve problems. SBE joins Dr. Ward in urging the Commission to take a leadership role by assisting in bringing these ideas and solutions together for the common good. This activity supports our contention that the reasons

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why certain areas of the country struggle with EAS is because of the lack of a centralized mechanism to enable solutions developed by some to be applied universally.

### **XXXIII. Comments of WTOP AM/FM and WXTR**

146. SBE does not agree with the notion that broadcast and cable participation in an emergency warning system should be mandatory for several reasons, not the least of which is the fact that today's emergency warning systems are simply not up to the task. SBE submits that a great deal of work must be accomplished before such a recommendation should even be considered.

147. SBE does not agree with the comment "*We believe emphatically that the current EAS system is not only outdated, but that its infrastructure and architecture are fatally flawed and must be replaced*" We do agree that much of the infrastructure and architecture is flawed but not to the extent that replacing the system is required. SBE submits that the flaws in the system as described are chiefly the result of lack of leadership and follow through on the part of the federal government. The fact that some areas have, without Federal leadership, created effective EAS systems underscores our contention.

148. SBE notes that our country resembles a patchwork of functional and dysfunctional EAS systems and that wholesale replacement of EAS with something else would be a colossal waste of time, money and resources. The preferred solution is the creation of a common alerting protocol (CAP) that will enable the continued use of an improved EAS in parallel with other technologies that exist now and in the future.

149. We agree with the comment "*There is very little accountability built in the system for the broadcasters and emergency managers.*" SBE believes that this is a management and structure issue that can and must be corrected at the federal level.

150. We agree that the EMnet system is attractive for a number of reasons. But it is not the solution for all that ails EAS. SBE feels that EAS suffers from a number of shortcomings that require a number of targeted solutions.

151. WTOP contends that one reason for replacing the EAS system is the difficulty of training broadcast staff members on the use of the hardware involved. SBE fails to see how replacing the EAS with another system will resolve this issue.

152. WTOP joins the chorus calling for the replacement or elimination of the 'daisy-chain' and contends that EAS cannot be repaired by improvements. SBE rejects this contention and

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submits that the State of Washington and others have proved that EAS can be considerably enhanced by not using daisy chains in favor of State and Local Relay Networks. SBE again calls upon the Commission to begin the process of phasing out the use of broadcast stations for relaying messages (LPs) and move swiftly to dedicated distribution systems. SBE notes, on page nine of the WTOP comments, that they are in agreement with SBE's position in this matter.

153. The contention that NOAA should not be a part of the warning architecture is to ignore the basic attributes of NOAA Weather Radio (NWR) as the only system we have with an established ability to deliver public warning messages 24/7. WTOP ignores that fact that when a person is not listening to a broadcast station that NWR can and does reach that person with warnings and emergency messages. The recent enhancements to NWR transforming it into an all hazards warning system are the correct course of action. SBE feels that NWR and broadcast EAS are just two facets of an effective warning system.

154. We agree that broadcast stations should monitor NWR, but perhaps not for the reasons submitted by WTOP. As NWR 'ramps up' to become a 'source' of not only weather related but also civil emergency warnings, the connection between broadcast stations and NWR becomes all the more important.

155. SBE agrees with WTOP *"that broadcasters should not have the authority to activate EAS or any official public alert with the concurrence of local, regional or national emergency managers."* SBE would take this one step further. We feel that no broadcast Station should activate any EAS warning without the specific request of a governmental authority. Further, there should be an established authentication procedure in place to prevent unauthorized use of the system.

156. SBE does not agree with WTOP's contention that Broadcast repeater stations should be EAS exempt. SBE's position is that when a satellite or repeater station is located in a different local EAS Area than its host station that it is denying local EAS message service to that local EAS area, and as a result vital life saving messages may never reach citizens using that system.

157. SBE would like to comment on one item in the WTOP summary. The matter of the *"unfriendly user interface and problems with user training and technical expertise to operate the hardware."* SBE agrees that some EAS units are more difficult to operate than others. SBE also knows of several after-market solutions to that problem have been developed. We submit that this is an issue that anyone who has this issue can and should address and is not a matter that needs to be considered by the Commission.

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### XXXIV. Comments of XM Radio

158. SBE commends XM for their willingness to participate in the distribution of national EAS alerts. Their willingness to help with this effort goes a long way toward resolving the lack of coverage issue that plagues the PEP program.

159. SBE recommends that the federal government immediately investigate the interconnection of its warning points to the XM system rather than reliance on the existing method used by XM, the monitoring of an LP station. Certainly a system like this should not be subject to a single point of failure. By having the XM system ‘broadcasting’ national EAS messages, not only would they be receivable by XM’s customers, but the messages could be received nationwide and re-broadcast through terrestrial distribution systems, such as NOAA Weather Radio, State Relay Networks, *etc.*

160. According to XM’s comments, it may be possible to also utilize XM’s Instant Traffic and Weather channels to reach selected metropolitan issues. SBE believes that the comments of XM underscore SBE’s contention that all the stakeholders in this process, working together, can cooperatively make significant improvements in EAS.

161. SBE agrees with the comment “*The current daisy-chain system has inherent vulnerabilities that compromise the effectiveness of the EAS.*” SBE feels that the role of broadcast stations should be as a link to the public and not as relay devices for other broadcast stations. As the commenter points out, the daisy-chain system introduces unnecessary delays and vulnerabilities.

162. SBE urges the Commission to move away from the use of broadcast stations as relay facilities (the Local Primary (LP) station) in preference to the use of dedicated distribution facilities, such as the SRNs and LRNs.

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### XXXV. Summary

163. These SBE reply comments, and the predecessor SBE comments, are the most extensive ever made by SBE to an FCC rulemaking. SBE appreciates the efforts taken by the Commission, and by other interested parties, to improve EAS. SBE looks forward with great interest to the Report & Order to this rulemaking, and pledges continued support and assistance for an improved EAS.

Respectfully submitted,

Society of Broadcast Engineers, Inc.

/s/ Ray Benedict, CPBE  
SBE President

/s/ Clay Freinwald, CPBE  
Chairman, SBE EAS Committee

/s/ Dane E. Ericksen, P.E., CSRTE  
Chairman, SBE FCC Liaison Committee

/s/ Christopher D. Imlay, Esq.  
General Counsel

November 29, 2004

Booth, Freret, Imlay & Tepper  
14356 Cape May Road  
Silver Spring, Maryland 20904  
301/384-5525

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