

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

In the Matter of	)	
	)	
Amendment of Part 2 of the Commission’s Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, Including Third Generation Wireless Systems	)	ET Docket No. 00-258
	)	
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 95-18
	)	
Establishment of Policies and Service Rule for The Mobile-Satellite Services in the 2 GHz Band	)	IB Docket No. 99-81
	)	

**COMMENTS OF  
THE NATIONAL ASSOCIATION OF BROADCASTERS**

The National Association of Broadcasters (“NAB”)<sup>1</sup> submits these comments in support of the Petition for Reconsideration filed by the Society of Broadcast Engineers (“SBE”) in the above-captioned dockets.<sup>2</sup> SBE asks the Commission to reaffirm that its decision in the Fourth MO&O was not intended to undercut the existing interference protection standards that apply to Department of Defense (“DoD”) uplinks relocated to the 2025-2110 MHz TV Broadcast Auxiliary Services (“BAS”) band.

Broadcasters have long expressed concern that newcomer, high-power DoD uplink earth stations may cause interference to incumbent BAS operations in the 2 GHz

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<sup>1</sup> NAB is a nonprofit trade association that advocates on behalf of more than 8,300 free, local radio and television stations and also broadcast networks before Congress, the Commission and the Courts.

<sup>2</sup> Petition for Reconsideration of Society of Broadcast Engineers, Inc., ET Docket No 00-258 (filed May 2, 2006); *Fourth Memorandum Opinion and Order*, ET Docket No. 00-258, 21 FCC Rcd 4441 (2006)(“Fourth MO&O”).

band.<sup>3</sup> TV BAS services constitute an important method for the delivery of breaking news and emergency information to the American public. 2 GHz BAS is used for electronic newsgathering (“ENG”) to transmit live, on-the-spot news reports to local studios, and to transmit special point-of-view camera transmissions that enhance coverage of special events, such as blimp shots during sporting events. ENG is particularly vital during weather and other emergencies. For example, BAS operations made possible the extensive, extraordinary coverage of the September 11 terrorist attacks, and more recently, local stations in New Orleans and Mississippi relied on BAS facilities to deliver life-saving information about Hurricane Katrina.

In the Seventh R&O in this proceeding, the Commission established stringent interference protection criteria that apply to high-power DoD uplink earth stations to be relocated in the BAS frequency band.<sup>4</sup> These standards required DoD uplink operators to demonstrate that their earth stations would degrade noise floor of an ENG receiver by no more than 0.5 dB. SBE was comfortable with this approach because it creates an incentive for DoD stations to conduct both advanced and real-time frequency coordination with BAS operators. SBE Petition at 2-3. However, SBE now expresses concern that the Fourth MO&O seemingly could relieve DoD uplinks of the obligation to demonstrate compliance with the Commission’s interference criteria. *Id.*

NAB shares this sentiment, given the Commission’s statement in the Fourth MO&O that “during on-going coordination, receiver threshold degradation . . . may be supplanted by less stringent criteria which fully consider actual ENG power, modulation,

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<sup>3</sup> See, e.g., Joint Broadcasters Comments in ET Docket No. 00-258 (filed Aug. 8, 2002).

<sup>4</sup> Seventh Report *and Order*, ET Docket No. 00-258, 19 FCC Rcd 21350, 21364 at n.63 (2004) (“Seventh R&O”).

performance, or other requirements.” Fourth MO&O, 21 FCC Rcd at 4448 n. 43. NAB submits that this declaration *could* be interpreted as a weakening of the existing stringent interference protections in situations where compliance may be difficult. As SBE describes, strict adherence to the noise degradation threshold is imperative because the potential interference here is only one-way: from an DoD uplink to a TV station’s 2 GHz BAS operations. Therefore, absent the threshold obligation, DoD earth stations would have little incentive to engage in meaningful coordination with broadcasters.

Accordingly, NAB requests that the Commission to continue to safeguard TV stations’ use of BAS operations to deliver live, on-the-spot news coverage, by clarifying that the interference protections described in the Seventh R&O that apply to DoD uplinks in the BAS band remain fully applicable.

Respectfully submitted,

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