

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

Review of the Emergency Alert System)	EB Docket No. 04-296
)	
Independent Spanish Broadcasters)	
Association, the Office of Communication)	
of the United Church of Christ, Inc., and the)	
Minority Media and Telecommunications)	
Council, Petition for Immediate Relief)	
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REPLY COMMENTS OF AT&T INC.

In their opening comments, AT&T and others expressed support for the Commission’s goal of implementing a next-generation Emergency Alert System (“EAS”), and, in particular, developing a multilingual EAS capable of disseminating alerts to as many as possible. A majority of EAS participants addressing the issue agreed with AT&T that the originators of EAS messages should be responsible for creating any and all EAS message content; under no circumstances, should communications service providers participating in the EAS (*i.e.*, broadcasters, cable operators and wireline video providers like AT&T) be required to create any EAS message content – including by translating EAS messages into other languages.¹ As Echostar rightly points out, “requiring video distribution platforms to create or manipulate alerts could result in life threatening inaccuracies and unnecessary lag time in distribution of the message.”²

¹ See AT&T Comments at 6; Echostar Comments at 5-6; Ohio Ass’n of Broadcasters, Virginia Ass’n of Broadcasters, and North Carolina Association of Broadcasters (Broadcaster Associations) at 3 (FCC should “require the originating authority to provide EAS messages in all required languages and impose no obligations on EAS participants to translate or otherwise generate multilingual messages; rather, participants should be required only to “retransmit[t] . . . the content of such alerts in the form they are received”).

² Echostar Comments at 6.

Numerous parties also echoed AT&T's view that the Commission should establish uniform procedures for adoption and implementation of regional (*i.e.*, state and/or local) emergency alert requirements that build on the existing requirement that states must obtain Commission approval of state EAS plans.³ As Verizon and others pointed out, the proliferation of emergency alert requirements – at the federal, state and local levels (including alerts required pursuant to franchise and other agreements with local authorities) raises the prospect of competing and/or conflicting alerts and needless confusion among the public.⁴ Moreover, increasing the number of officials permitted to issue alerts would increase the risk of a breach in system security and increase the risk of system failure.⁵ Indeed, even NATOA, which argued that the Commission should not preempt local alert and override systems, acknowledged that the Commission could address concerns that local officials might “cry wolf too often” by instituting appropriate federal guidelines, ensuring that all authorized local personnel receive proper training and

³ AT&T Comments at 7. *See also* Bouchard Broadcasting Comments at 1 (FCC-approved state EAS plans should clarify which officials are authorized to activate the EAS and ensure that such activations are protected against accidental or improper use); Maine Ass'n Broadcasters Comments at 1 (expressing concern about the proliferation of alerts from state and local authorities and noting that, “absent a pervasive mandatory scheme of ongoing training for state, county and local and other officials on the proper use of EAS, a mandate for carriage of alerts from these sources would certainly result in chaos”); NAB Comments at 5-6 (urging the Commission to limit authority to transmit EAS to the governor of each state or his or her individual designee, and to allow such officials to exercise such authority only after a state's EAS plan has been approved by the FCC and FEMA); NCTA Comments at 3-6 (urging the Commission to restrict and preempt the extensive and disparate alerting requirements imposed on cable operators at the local level, and replace them with an integrated federal, state and local program to the extent carriage of local alerts is required); and Verizon Comments at 6-9 (arguing that the Commission should encourage local officials to work with other state and local officials to coordinate handling of state and local alerts through the state EAS plan).

⁴ Verizon Comments at 6-8 (noting that alerts at the local level may be inconsistent with and could interrupt state EAS alerts, and could sow unnecessary alarm and confusion by the transmission of alerts to large numbers of subscribers unaffected by a local emergency); NCTA Comments at 5-6 (expressing concern over the potential for needless and excessive emergency alerts originated by local officials); NAB Comments at 6 (“multiple sources of alerts [c]ould lead to public confusion and desensitization to the importance of real emergencies”).

⁵ Verizon Comments at 6-8.

information, or recommending additional security measures.⁶ While such steps are necessary, AT&T does not believe they are sufficient to address the concerns identified in the record. AT&T thus agrees with NCTA that the EAS should operate as “the integrated federal, state and local [emergency alert] program and should supersede disparate franchise-based alerting requirements.”⁷ Accordingly, as AT&T proposed in its opening comments, the Commission should require all state and local government officials to include any regional (*i.e.*, state and local) emergency alert requirements – including requirements relating to local alert and override systems currently included in some franchise agreements – in the relevant state EAS plan, which should be submitted to the FCC for approval after notice and comment by interested parties. Such plans should clearly identify the types of messages that must be disseminated, the officials authorized to initiate such alerts, and the areas in which such alerts must be transmitted.

Respectfully submitted,

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December 17, 2007

⁶ NATOA Comments at 4-5.

⁷ NCTA Comments at 5-6.