

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

In the Matter of )  
Accessibility of Video Programming )  
Providing Emergency Information for ) RM No. 11499  
Individuals Who are Blind and Visually )  
Impaired )

To: The Commission

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

The National Association of Broadcasters (“NAB”)<sup>1</sup> and the Association for Maximum Service Television, Inc. (“MSTV”)<sup>2</sup> submit these comments in response to the Petition for Rulemaking letter filed by American Council of the Blind.<sup>3</sup> Informing the public of national, state and local emergencies is the hallmark of broadcasters’ public service. Through the use of live news coverage and the Emergency Alert System (“EAS”), broadcasters ensure that the local communities they serve have timely access to critical, and often lifesaving, information.

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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 Federal Communications Commission, the Courts, and other federal agencies.

<sup>2</sup> MSTV is a nonprofit trade association of local broadcast television stations committed to achieving and maintaining the highest technical quality of the local broadcast system.

<sup>3</sup> See Letter from Eric Bridges, American Council of the Blind, to the Commission, Oct. 3, 2008, placed on *Public Notice* on Oct. 16, 2008.

Broadcasters remain committed to working with the Commission, and fellow members of the Consumer Advisory Committee, to improve timely access to emergency information to *all Americans*, including those who are blind, visually impaired, deaf and hard of hearing. As articulated in our 2006 comments in the EAS proceeding, we concurred with WGBH that the solution to harmonizing aural and visual emergency information is through “delivering equivalent text *within* the EAS message ... [which] if delivered in standard formats might be able to drive conventional character generators, graphic systems or caption encoders.”<sup>4</sup> Broadcasters view this solution as an effective and efficient means to deliver crucial emergency information to those persons with disabilities. At that time, WGBH noted that it was “exploring the use of the [Common Alerting Protocol – or CAP] standard to enable the delivery of multiple video, text and audio versions of emergency messages in a single CAP ‘package.’”<sup>5</sup>

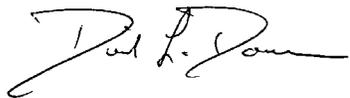
NAB and MSTV therefore recommend that should the Commission move forward with this proceeding, it take the following steps. First, the Commission should convene all interested parties to explore technological solutions by which aural and visual emergency information can be integrated into the CAP standard. Second, the Commission should formally incorporate this petition into the EB Docket No. 04-296

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<sup>4</sup> In the Matter of Review of the Emergency Alert System, Reply Comments of NAB, EB Docket No. 04-296, filed Feb. 23, 2006 at 6 (*citing Comments of WGBH National Center for Accessible Media and Rehabilitation Engineering Research Center on Telecommunications Access*, EB Docket No. 04-296, Jan. 24, 2006 at 8 (emphasis added)).

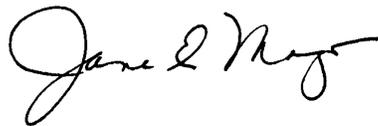
<sup>5</sup> *Id.* at 9. Since that time, the U.S. Department of Education has also funded the “Access to Locally Televised On-Screen Information” project. See <http://ncam.wgbh.org/onscreen.simulation.html>.

rulemaking proceeding, which is specifically addressing these emergency information issues. Finally, the Commission should coordinate with the Federal Emergency Management Agency (“FEMA”) in its deployment of CAP 1.1 standards to ensure that all EAS encoder or decoder equipment modifications (including those improving access for persons with disabilities) could be simultaneously implemented.<sup>6</sup>



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<sup>6</sup> Pursuant to the timeline established in the 2007 EAS Order, the Commission required stations to upgrade their EAS equipment to be able to accept CAP-based alerts 180 days after the date that FEMA publishes the applicable technical standards for such CAP alerts. In the Matter of Review of the Emergency Alert System, *Second Report and Order and Further Notice of Proposed Rulemaking*, EB 04-296 at ¶ 26 (rel. July 12, 2007). It would be inefficient for the Commission to require broadcast licensees to upgrade their equipment pursuant to the 180 day timetable, and shortly thereafter, require additional equipment modifications.

## **CERTIFICATE OF SERVICE**

I hereby certify that on this 17th day of November, 2008, I caused copies of the foregoing Comments of the National Association of Broadcasters and the Association for Maximum Service Television, Inc., to be served via U.S. Mail, first class postage pre-paid, upon the following:

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