

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)	
)	
International Comparison and Consumer)	GN Docket No. 09-47
Survey Requirements in the Broadband)	
Data Improvement Act)	
)	
A National Broadband Plan for Our Future)	GN Docket No. 09-51
)	
Inquiry Concerning the Deployment of)	GN Docket No. 09-137
Advanced Telecommunications Capability)	
To All Americans in a Reasonable and)	
Timely Fashion, and Possible Steps to)	
Accelerate Such Deployment Pursuant to)	
Section 706 of the Telecommunications)	
Act of 1996, as Amended by the Broadband)	
Data Improvement Act)	

To: Secretary, Federal Communications Commission
Attention: The Commission

**COMMENTS OF THE UNIVERSITY OF ALASKA
IN RESPONSE TO NBP PUBLIC NOTICE # 26**

The University of Alaska provides these comments in response to the Commission's Public Notice¹ seeking comment in the referenced dockets on spectrum for broadband.

We are the licensee of noncommercial educational television station KUAC-TV, DTV Channel 9 (and Major Channel 9), Fairbanks, Alaska. Our mission is to create television programming that is thought-provoking, trustworthy and even life-changing, connecting Alaska to the world and the world to Alaska. Our programming strives to educate, to bring awareness to overlooked issues, and to present performances that would

¹ *Data Sought on Uses of Spectrum - NBP Public Notice #26*, GN Docket Nos. 09-47, 09-51, 09-137, Public Notice, DA 09-2518 (rel. December 2, 2009) (the "Public Notice").

otherwise be inaccessible. As Alaska's first public TV broadcaster, we have operated KUAC-TV since 1971, bringing educational programming, PBS programming, and locally-produced content to the residents of the state.

In the Public Notice, with a mind toward finding additional spectrum to allocate for wireless broadband purposes, the Commission seeks specific data on the use of spectrum currently licensed to broadcast television stations. Among other things, the FCC is attempting to account for the value that the country puts on free, over-the-air television. As reflected in the information we provide below, we urge the Commission to find that our use of our licensed television broadcast channel is exceptionally efficient and productive, and brings great value to our community. The cost to us and to our community resulting from the loss or curtailment of our over-the-air transmission service would be unacceptably enormous.

Comments

KUAC-TV currently broadcasts three (3) streams of noncommercial educational television programming: "Alaska One" (High Definition on Channel 9.1), which is our primary PBS service, "World" (Standard Definition on Channel 9.2), which includes documentaries on science, history, news and current affairs, and "Create" (Standard Definition on Channel 9.3), which provides instructional programs and expert advice on cooking, arts and crafts, gardening, home improvement and travel. Viewer feedback indicates that each stream is vitally important in terms of both community interest and station fundraising support.

In addition, we are currently considering the addition of a 4th stream of programming to feature the state's legislative feed, or the University's educational channel.

The addition of a permanent 4th channel would bring KUAC to near capacity for its data rate allocations, as it currently runs 7 to 10 Mbs for its HD programming, and 2 to 4 Mbs for each SD programming stream. In fact, given our current “24/7” use of one HD stream and two SD streams, if we were forced to share channel capacity with another broadcaster, KUAC would need to eliminate the HD stream, which is extremely popular with viewers.

Notably, KUAC’s Fairbanks market is the number one (# 1) over-the-air market in the United States, with more than 25% of its households (more than 8,000 of the 37,000 total households) reliant on receipt of TV programming via over-the-air signals. The loss of availability of KUAC’s current over-the-air broadcast capacity would force countless consumers to purchase service from cable, satellite or other providers to continue to receive currently available programming, or to simply do without our programming services.

Moreover, if KUAC’s over-the-air service is curtailed or eliminated, its current over-the-air audience would face substantial burdens with regard to subscribing to alternative distribution mechanisms. First, the terrain in Fairbanks prevents many from receiving satellite delivery. Second, even where available, the cost of equipment and service can be prohibitive to residents due to increased fees resulting from factors such as Fairbanks’ geographic location and the fact that satellite delivery to Alaska is split between two satellites (such that a standard 18” DBS receiving antenna must be replaced by a 36” or larger DBS antenna, and two antennas are required for receipt of DISH Network).

KUAC already feeds the lone terrestrial cable system in the market by fiber. However, KUAC feeds both satellite operators DISH and DIRECTV by its over-the-air signal, and in the absence of that signal KUAC would be required to required to come up

with some other mechanism. The resulting costs to the station would be substantial and crippling, especially coming on the heels of the digital conversion process. The cost to install fiber and purchase equipment would involve initial expenses of approximately \$100,000, and KUAC estimates recurring monthly maintenance and operational costs of \$2,000 to \$3,000. Expenses aside, KUAC would still lose approximately 25% to 30% of current viewers due to terrain limitation on satellite reception. As noted, two satellites are utilized to deliver programming to Alaska, and due to terrain issues, some viewers simply cannot access the one satellite which provides local channels, regardless of additional equipment or expenditures.

These additional costs, which would manage to regain only a portion of KUAC's viewership, would prove devastating to the station. In the last four years alone, KUAC has already invested over \$3 million in DTV facilities and the digital conversion. Of that total, approximately \$1 million was obtained from the public, in the form of individual, institutional, or public contributions. Those expenditures would be extremely hard to justify if KUAC's over-the-air signals were to end, and at least \$1.5 million of those expenditures would simply be rendered useless. Moreover, even at the present date, KUAC faces a continuing obligation in the form a \$400,000 loan repayment required as a result of its digital transition and conversion costs, specifically in connection with the re-channelization project pursued and completed for its over-the-air broadcast facilities. It would be a travesty – and a waste of private contributions – to force KUAC to keep paying on obligations for facilities that the government now wants to take away!

In sum, KUAC makes extraordinarily efficient and productive use of its existing channel capacity (through one HD and two SD streams) to provide a variety of quality

educational and cultural programming to the citizens of Alaska, and is in the midst of planning a fourth programming stream to augment public affairs or instructional content. Our market is heavily reliant on over-the-air receipt of television programming, both for direct viewing and access via satellite providers. The station and the public are still in the midst of paying off the extraordinary costs of the digital TV conversion, and would face enormous additional expenses, burdens, and obstacles (both figurative and literal) to maintain current programming and viewing options if forced to share capacity with other broadcasters or otherwise adapt due to the loss of over-the-air service.

Conclusion

Based on the foregoing reasons, we urge the Commission to find that our use of our television broadcast channel efficient and productive, and abundantly serves the public interest. Our over-the-air transmission capabilities must be protected in any effort that the Commission might undertake to allocate more spectrum for wireless broadband systems.

Respectfully submitted,

UNIVERSITY OF ALASKA

By: /s/ Keith Martin
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