

**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 OHIO STATE UNIVERSITY
IN RESPONSE TO NBP PUBLIC NOTICE # 26**

The Ohio State University 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 stations WOSU-TV, DTV Channel 38 (Major Channel 34), Columbus, Ohio, and WPBO(TV), DTV Channel 43 (Major Channel 42), Portsmouth, Ohio. As a PBS member, WOSU Public Media features award-winning children’s programming, public affairs, science, and nature programs, as well as award-winning locally produced shows. The mission of WOSU

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”).

Public Media is to enrich lives through programming and community services that educate, inform, entertain, and inspire.

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

WOSU-TV and WPBO(TV) provide the twenty-one county region of central and southern Ohio with three digital channels of programming: WOSU HD is the primary channel for national PBS and high definition local programming; WOSU Plus provides the Create Channel, which includes viewers' favorite public television series and specials on cooking, travel, arts and crafts, gardening, home improvement and other lifestyle interests; and WOSU Ohio is The Ohio Channel. A new concept in public affairs programming, the Ohio Channel combines Statehouse coverage in Columbus with locally produced PBS programs to give a statewide perspective on issues that affect the lives of all Ohioans. All three digital channels have a loyal audience following. All three channels are nonprofit, noncommercial stations focused on national and local programming of interest to our markets.

In addition, WOSU is developing plans for additional television services and for use of any available broadcast capacity. For instance, WOSU plans to join all of the local commercial broadcasters in Columbus to be part of the pilot project on Mobile DTV in 2010. WOSU is also collaborating with the Ohio Emergency Management Agency to use the new datacasting capabilities at all Ohio digital public stations to distribute emergency announcements to Ohio's commercial radio and television broadcasters. Ohio public TV stations would essentially become LP-1 stations, and serve as a pass-through for emergency announcements to local radio and television. The rollout of this plan is expected in 2010 after two years of planning and experimentation.

WOSU's data rate allocations are as follows: for WOSU-HD: 11 Mbs; for WOSU-Ohio Channel (SD): 2.5 Mbs; and for WOSU Plus (SD): 2.5 Mbs. WOSU's remaining 3.3 Mbs is used for PSIP information and to fulfill WOSU's contractual obligations as part of PBS's National Datacast Initiative. As a result, WOSU is using its maximum station throughput at all times. WOSU therefore has no excess (i.e. unused) channel capacity that it could "share" with other broadcasters. If required to do so, WOSU would be forced to give up broadcasting one of the program services it currently provides.

WOSU's over-the-air service is critical for reaching local viewers. As of November, 2009, over 134,570 households in the Columbus market rely on over-the-air broadcasting to receive our signal and would be forced to purchase service if our signal was no longer available. Thousands of others in WPBO's market of Huntington, West Virginia face the same situation.

Moreover, non-over-the-air services are limited with regard to the WOSU Public Media programming services that they provide. The DBS systems only offer a down-

converted HD signal, and do not offer our HD service or our other two programming streams. The local telco system also offers a down-converted HD signal on its basic service, and the HD signal on a higher tier, but does not offer our other two digital channels. Finally, some of the cable systems carrying WOSU only offer our HD signal on a different tier from our other channels.

In addition, many of WOSU's viewers who rely on over-the-air service are among those least likely to be able to subscribe to alternative distribution mechanisms if broadcast service is curtailed or eliminated. As WOSU learned from recent experience with our nationally heralded "Help Your Neighbor" digital conversion project – during which we helped several thousand residents in Columbus acquire and install converter boxes – our over-the-air audience has a high percentage of elderly, economically disadvantaged, and ESL (English as a Second Language) viewers. Columbus also has the second largest Somali immigrant population in the country and a growing Hispanic population. Due to factors such as these, a high percentage of our over-the-air audience would be unable to subscribe to an alternative service provider if over-the-air service is curtailed, directly affecting some of the more vulnerable and financially disadvantaged segments of our community. WOSU's public television services are particularly vital to isolated elderly viewers who depend on it for information and entertainment, as well as children and adults learning to read and write English.

Even among those viewers that already receive WOSU programming via cable or other alternative means, the over-the-air signals are critical. Ten of the local headends in use by these providers currently receive WOSU or WPBO by picking up our over-the-air signals. These systems in turn provide service to 354,475 households. If those headends

and providers could no longer receive our over-the-air signals, substantial costs would be required to reach their systems by other methods. Based on current Telco tariff rates, 10 headend TV lines would cost \$25,000 for a one-time installation fee and \$180,000 per year in recurring costs.

Any such costs would be very difficult for a public, state University and governmental entity such as The Ohio State University to address, especially in the wake of the recently completed DTV transition. The WOSU stations have invested over \$8 million in our DTV facilities and conversions. Of that figure, more than \$5 million was publicly financed in the form of individual, institutional, other contributions. If our over-the-air signals were to end, it would render useless approximately \$2.9 million spent specifically on transmitter equipment for our two sites.

In sum, WOSU Public Media already makes effective use of all of its spectrum capacity to provide varied programming and other noncommercial educational services to its local communities. Any loss of over-the-air service would immediately and negatively impact tens of thousands of area households, especially those least likely to afford other TV services. Cutbacks to over-the-air service would also affect WOSU's ability provide its signals to cable, satellite and telco providers in a cost efficient manner, and result in decreased programming options for many viewers – a harmful consequence which would also follow from other proposed changes such as the forced sharing of our current spectrum with other broadcasters.

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,

THE OHIO STATE UNIVERSITY

By: 
Tom Rieland
General Manager of WOSU Public Media

WOSU Public Media
2400 Olentangy River Rd
Columbus, OH 43210-1027
(614) 292-9678

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Of counsel:
Todd D. Gray
Barry S. Persh
Dow Lohnes PLLC
1200 New Hampshire Ave. NW
Suite 800
Washington, DC 20036
tgray@dowlohn.com