

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Review of the Emergency Alert System)	EB Docket No. 04-296
)	
Informal Comments of Revision to the)	
Commission's Part 11 Rules)	

TFT, Inc. Reply to Comments
Concerning the Informal Comments on the Revision
To the
Commission's Part 11 Rules Governing the Emergency Alert System

I. INTRODUCTION

TFT congratulates all those who filed informal comments on the revision of the Commission's Part 11 rules governing the Emergency Alert System (EAS) pending adoption of the Common Alerting Protocol (CAP) by the Federal Emergency Management Agency. TFT also applauds the Commission for its continuing review of the Emergency Alert System and its Part 11 rules so all intelligent gateways possible may distribute emergency information to the public. TFT agrees with some commenters and disagrees with others. TFT desires that the formal rulemaking process will continue to move forward.

II. REPLY TO COMMENTS

1. TFT particularly **agrees** with the approach in several comments.

Specifically,

- a. TFT agrees with the Texas Association of Broadcasters,¹ the National Cable & Telecommunications Association,² SpectraRep LLC,³ Adrienne Abbott-Gutierrez,⁴ and the National Association of Broadcasters⁵ that the “180-day” clock required by the Commission⁶ should be reconsidered, delayed and modified. The issues identified by the commenters still stand. Not only will 180 days be inadequate for most equipment manufacturers to respond to specific, and possibly unknown, FEMA requirements, but also for hardware and software certification, selection of equipment, distribution of equipment, installation of equipment, and training of EAS Participants,⁷ personnel.

- b. TFT agrees with Sage Alerting Systems⁸ and SpectraRep⁹ that maintaining the web-structure of EAS monitoring assignments¹⁰ in addition to CAP monitoring is essential. Current EAS monitoring assignments will be necessary until

¹Texas Association of Broadcasters (“TAB”), Ann Arnold, President, *Informal Comments, Revision of the Commission’s Part 11 Rules*, Pages 5 and 6

²National Cable & Telecommunications Association (“NCTA”), *Comments*, Page 4, May 17, 2010

³SpectraRep LLC, *Informal Comments, Revision of the Commission’s Part 11 Rules*, Paragraph 5, Page 4

⁴Adrienne Abbott-Gutierrez, Chair, Nevada State Emergency Communications, Committee, *Memo Comments*, May 17, 2010

⁵National Association of Broadcasters, *Informal Comments*, Paragraph III, Page 5

⁶47 C.F.R. § 11.56, “**...EAS Participants must be able to receive CAP-formatted EAS alerts no later than 180 days after FEMA publishes the technical standards and requirements for such FEMA transmissions.**”

⁷47 C.F.R. § 11.11

⁸Sage Alerting Systems, Inc., *Comments*, Paragraph 6, Page 2, and Paragraph 18, Page 6

⁹SpectraRep LLC, *Informal Comments*, May 17, 2010, Paragraph 2, Page 2

¹⁰47 C.F.R. § 11.33(a)(1)

complete CAP servers and their connections are available to EAS Participants.

c. Similarly, multiple CAP sources need to be monitored, including State Relay Networks, as suggested by SpectraRep.¹¹ TFT agrees that CAP messages may arrive at an EAS Participant from many sources: federal, State and local. If only one CAP source is monitored and another CAP message, possibly with a higher priority, is distributed, the higher priority message may be delayed.

d. TFT agrees with Sage that equipment used in receiving CAP encoded messages should be tested for conformance to the current CAP specification at the time of submission for certification or conformance.¹²

e. TFT agrees with SpectraRep that CAP compliance for an EAS Participant can be achieved with either a single unit that receives both CAP and EAS messages or with a unit that receives CAP only and can be added to an existing FCC Type Notified EAS decoder or EAS combined encoder/decoder.¹³

f. Even though a unit that only receives CAP messages and does not decode or encode EAS protocol messages might be utilized by an EAS Participant, TFT agrees with Sage that such devices must be tested for compliance with CAP.¹⁴ EAS Participants rely on the Commission for such testing and certification of

¹¹SpectraRep, *op. cit.*, Paragraph 2.1, Page 2, and Paragraph 2.3, Page 3

¹²Sage, *op. cit.*, Paragraph 13, Page 4, and Paragraph 14, Page 4.

¹³SpectraRep, *op. cit.*, Paragraph 2.2, Page 3

¹⁴Sage, *op. cit.*, Paragraph 15.e), Page 5, and Paragraph 16, Page 5

equipment to achieve their own compliance for CAP message reception.

g. For equipment to be CAP compliant, TFT agrees with Sage¹⁵ that the Commission must provide test messages to both the testing laboratory and to manufacturers that may submit equipment for CAP certification. The objective should be that any CAP message processed by a CAP receiving device should always result in the exact same EAS protocol message regardless of the manufacturer of the device. If a library of test CAP messages is available both to the testing laboratory and the manufacturer, then compliance should be a much easier task for both. If such test messages are not available, then equipment may possibly be submitted repeatedly at considerable waste of time and effort for the laboratory and the manufacturer. With test CAP messages, a manufacturer could also evaluate a CAP receiving device prior to submission for certification or compliance.

h. TFT agrees with Sage¹⁶ that there is no need for re-certification of CAP equipment for transparent CAP standard changes but that there is a need for re-certification when the version of the CAP standard changes, that, in the opinion of the Commission, affects translation of CAP messages into EAS protocol. Re-certification for this type of circumstance could be achieved either by re-submission to a testing laboratory or by certification of the manufacturer that the CAP reception device has been modified or upgraded to comply with a newer version of the CAP standard. Any marking of CAP reception devices required by CAP certification should state the CAP

¹⁵*Ibid.*, Paragraph 23, Page 7

¹⁶*Ibid.*, Paragraph 22, Page 7, and Paragraph 24, Page 7

version and date.

i. Along with other members of the EAS-CAP Industry Group, TFT agrees with Sage,¹⁷ Monroe,¹⁸ and Gary Timm¹⁹ that the ECIG Recommendations for a CAP EAS Implementation Guide, Version 1.0, be used as a guideline for FEMA's specifications for CAP-to-EAS message translation.

j. EAS should not be used for distribution of CAP protocol for the reasons cited by Sage.²⁰ CAP messages have a data capacity that far exceeds that of EAS protocol. If a method were developed to deliver CAP data via EAS protocol, the baud rate of EAS protocol²¹ would make the length of such a message impractical for public distribution or consumption over radio, television, or cable. EAS was never intended to be a data transmission medium, only an audio transport layer.

k. SpectraRep²² comments that the structure and content of State EAS plans must include CAP. TFT agrees. Thorough State EAS plans are necessary for distribution of State and national emergency messages and ultimately for delivery of emergency messages to the public. CAP represents an excellent tool for origination and dissemination of emergency messages, but the origination and dissemination must conform to the constraints dictated by each State's individual geography, government,

¹⁷*Ibid.*, Paragraph 12, Page 4

¹⁸Monroe Electronics, *Informal Comments*, May 17, 2010, Paragraph 1, Page 2

¹⁹Gary Timm, an individual, *Comments, ECIG Implementation Guide and Conformance Testing*, Page 8

²⁰Sage, *op. cit.*, Paragraph 9, Page 3

²¹47 C.F.R. § 11.31(a)(1)

²²SpectraRep, *op. cit.*, Paragraph 3, Page 4

resources, organization, involvement, and training. Nothing could be worse from a local perspective than to have federally mandated systems such as CAP and EAS that could only warn the public of national level emergencies and not the vast number of local emergencies. EAS is tested daily with local, not national messages. This fact has led to a robust, reliable system that functions extremely well on a local basis.

1. TFT also agrees with NCTA²³ that the Commission needs to clarify how “Governor’s Must Carry” messages²⁴ are to be processed because there is no Event or Originator code²⁵ to correspond to this requirement.

m. In addition to grants from FEMA to emergency management agencies suggested by TAB²⁶, TFT joins with NAB²⁷ and Gary Timm²⁸ in calling for subsidies for various entities. TFT further suggests that FEMA could structure grants to early adopters of CAP-to-EAS receiving devices. This will a deterrent for procrastination on the part of EAS Participants to delay purchase, installation, training and operation of CAP-to-EAS equipment until just before any deadline that the Commission may or may not affirm. The grants might be structured so that a portion of qualifying EAS Participants could receive grants for a some of the expense mandated by such a deadline. Participants that did not purchase and install equipment before an

²³NCTA, *op. cit.*, Page 4

²⁴47 C.F.R. § 11.55(a)

²⁵47 C.F.R. § 11.31(d) and (e)

²⁶TAB, *op. cit.*, Grants to Encourage Participation, Page 2

²⁷NAB, *op. cit.*, Paragraph IV, Page 9

²⁸Gary Timm, *op. cit.*, Funding, Page 12

established date would not be eligible for these suggested grants.

2. TFT particularly **disagrees** with the approach in two comments.

Specifically,

- a. TFT disagrees with Sage²⁹ that the Commission’s rules are sufficient to start the 180-day clock for CAP compliance. Details of the FEMA technical requirements have not been established and not codified by the Commission. As TFT has suggested, FEMA could establish grants for early adopters so that a significant portion of EAS Participants would have an incentive to purchase and install CAP-compliant devices before a Commission-established deadline. This will permit CAP receiving devices already deployed to come under the requirements for certification and be in place immediately. It is possible that CAP receiving devices already deployed may necessarily be modified or upgraded before they can be certified.

- b. TFT also disagrees with Monroe³⁰ that “Text-to-Speech” be a requirement for CAP-to-EAS receiving devices. Messages that are received in EAS protocol and not from CAP may not contain an audio message³¹. Requiring “Text-to-Speech” conversion could cause confusion and may not provide enough detail for radio listeners. Television and cable viewers may be similarly confused because a “Text-to-

²⁹ Sage, *op. cit.*, Paragraph 36, Pages 10-11 and Page 12, Specific Changes to Part 11, (8) addition of 11.34(h)(8)

³⁰ Monroe, *op. cit.*, (.3) Recommendation 3, pp. 3-4

³¹ 47 C.F.R. § 11.51(b), “When relaying EAS messages, EAS Participants may transmit only the EAS header codes and the EOM code without the Attention Signal and emergency message for State and local emergencies.”

Speech” requirement for a non-CAP message would only “mirror” the visual information displayed and would not necessarily provide additional details. In the case of State and local messages, especially for non-mandatory emergency messages, a simple reading of the header information and any other supplementary information might be sufficient to alert the public. “Text-to-Speech” is also an expensive part of a CAP receiving device. Many EAS Participants will have difficulty with this added expense that may not insure faster, more accurate, or more detailed public alerting. By their very nature “Text-to-Speech” conversion programs will continue to improve. A program that a manufacturer may select for a CAP receiving device today may be inferior to a program available in the future. By not making this a mandatory requirement, EAS Participants would be at liberty to select this option if it suits their operation or if it lowers their operating costs. This would also give EAS Participants the ability to upgrade such programs at their convenience rather than at a mandatory date.

III. CONCLUSION

TFT thanks the Commission for receiving informal comments on the changes to Part 11 of its rules that will necessarily be affected by the incorporation of CAP. We also appreciate all those who commented.

We agree that

- * The 180-day deadline should be reconsidered,

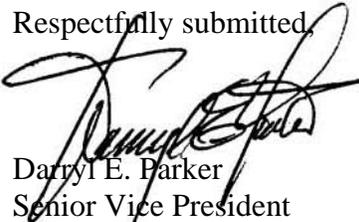
- * EAS station monitoring should be maintained,
- * Multiple message sources, CAP and EAS, should be monitored,
- * CAP receiving devices should be tested for conformance,
- * EAS add-on CAP receiving devices should be tested for compliance,
- * Either a single or combined unit could be used for CAP compliance,
- * Sample CAP test messages must be provided for CAP compliance testing,
- * There is no need for re-certification for transparent CAP version changes,
- * The ECIG Implementation Guide should be adopted by FEMA,
- * EAS should not be used for CAP distribution,
- * State EAS plans should include provisions for CAP origination,
- * The Governor’s Must Carry procedures must be clarified, and
- * Federal funding is appropriate for certain entities for CAP implementation.

We disagree that

- * The Commission’s rules do not need to be clarified before CAP

implementation and

- * “Text-to-Speech” needs to be mandated for CAP conversion.

Respectfully submitted,

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June 11, 2010