

Cohen, Dippell and Everist, P.C.

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of)
)
Establishment of a Model for Predicting Digital) ET Docket No. 10-152
Broadcast Television Field Strength Received at)
Individual Locations)

**Reply Comments of
Cohen, Dippell and Everist, P.C.**

The following reply comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”) and is in response to the Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking, ET Docket No. 10-152, released July 28, 2010. ET Docket No. 10-152 addresses the new statutory requirement and provision contained in the *Satellite Television Extension and Localism Act of 2010* (“STELA”). CDE and its predecessors have practiced before the Federal Communications Commission (“FCC”) for over 70 years in broadcast and telecommunications matters. The firm or its predecessors have been located in Washington, DC since 1937 and performed professional consulting engineering services to the communications industry. Several filings in ET Docket No. 10-152 have been reviewed. These include “Joint Comments of DIRECTV, Inc. And DISH Network L.L.C.”; of Givens & Bell, Inc and “Comments of the Broadcaster Associations”.

The undersigned has been performing field measurements in the VHF and UHF band since the 1950s.¹ The undersigned joined this firm and its predecessors in 1961 and he or the firm has made extensive field measurements with professional equipment in accordance with Section 73.314 and Section 73.686 of the FCC Rules with a specially designed vehicle in major cities,² urbanized, and rural areas.³ Many of these field measurements were also made at ten feet in addition to the normal thirty feet measurement run.

In comments, Givens & Bell urge the FCC to adopt a model that attains greater accuracy and offers its own recommendations to achieve that goal. These are useful and thoughtful and CDE supports the goal of a more accurate computer model.

However, strong opposition is given to comments of the Joint Comments of DIRECTV, Inc and DISH Networks, L.L.C. ("DBS Providers"). Specifically, the DBS Providers' argument for the determination of unserved household through the use of "indoor antennas" is not only unrealistic but foolhardy. This is not only based on the undersigned first-hand and extensive knowledge of installing UHF TV antennas in customers' homes but knowledge gained over the

¹Numerous outdoor probe measurements were made using 10 to 30' pole using a four-bowtie antenna in conjunction with a Standard field strength meter to establish a useable UHF signal at customers' home in connection with the family business. It is noted these probe measurements for outdoor antenna installations typically ranged from 30 to 60 miles from UHF station on Channels 19-43. Not only during this period was UHF broadcast in its infancy but useable UHF signals were a requirement in all seasons and hours.

²New York, New York; Chicago, Illinois; Philadelphia, Pennsylvania; Los Angeles, California; Atlanta, Georgia, Columbus, Ohio; Cleveland, Ohio, Miami, Florida, Louisville, Kentucky, Pittsburgh, Pennsylvania; Knoxville, Tennessee; Charlotte, North Carolina

³Outlying areas such as Altoona, Pennsylvania; Green Bay, Wisconsin; Pittsfield, Massachusetts and Salisbury Maryland

past 40 years with this firm and predecessors making extensive measurements in accordance with the current FCC Rules. The conversion from analog (NTSC) to DTV was based on replication of the analog off-the-air service. That service was defined with well established FCC technical criteria that included prediction of signals at 30 foot. To now suddenly change to a new measurement procedure which deviates from the well established technical criteria is at best, based on wishful thinking. To do as the DBS Providers urge would dismiss the long established technical planning factors without a valid reason. This concept is without technical merit and the FCC is urged to reject it.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Donald G. Everist", written in a cursive style. The signature is positioned above the printed name.

Donald G. Everist, PE

Date: September 3, 2010