



February 15, 2012

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington DC 20554

**Re: Notice of Ex Parte Communication; EB Docket No. 04-296**

Dear Ms. Dortch:

On February 13, 2012, Ann West Bobeck, Kelly Williams and the undersigned of the National Association of Broadcasters (NAB), met with Thomas J. Beers and Gregory M. Cooke of the Public Safety and Homeland Security Bureau to discuss certain issues regarding the above-captioned proceeding.

First, we discussed the Commission's decision in the Fifth Report and Order to prohibit the use of text-to-speech (TTS) technology in constructing Emergency Alert System (EAS) warnings.<sup>1</sup> NAB stated that, contrary to the Commission's stated concerns about the accuracy and consistency of TTS alerts, TTS is a mature technology as evidenced by its common use in various state EAS systems and in weather alerts issued by the National Oceanic and Atmospheric Administration (NOAA). We respectfully requested that the Commission reconsider its approach regarding TTS-developed EAS alerts.

Second, we discussed the collection of data from participants in the nationwide EAS test on November 9, 2011. NAB described its efforts to remind and encourage broadcasters to submit their reports, and offered to continue to partner with the Commission on perfecting the test record.

Finally, we raised the issue of "forced-tuning," in which a cable operator overrides and interrupts a local television station's comprehensive coverage of an emergency situation as part of a practice of force-tuning its entire channel line-up to a common channel display of a simple EAS alert slide. Such "blue screen" alerts carry rudimentary, non-specific material that is far less informative than local broadcast coverage, which may include targeted, local news about the

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<sup>1</sup> Review of the Emergency Alert System, EB Docket No. 04-296, *Fifth Report and Order* (rel. Jan. 10, 2012), at ¶38.

1771 N Street NW  
Washington DC 20036 2800  
Phone 202 429 5300

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timing and path of a storm, traffic conditions on particular routes, or detailed information concerning a child abduction. We explained that forced-tuning can be readily eliminated through existing technology, already deployed in many cable facilities, that allows cable operators to selectively exempt from forced-tuning any cable channels, such as those carrying local television stations, that provide emergency information. Given the obvious public safety benefits that would result from eliminating forced-tuning, NAB respectfully requested that the Commission promptly explore procedural avenues for considering this issue.

Please direct any questions concerning this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lawrence A. Walke". The signature is fluid and cursive, with the first name "Lawrence" being the most prominent part.

Lawrence A. Walke

cc: Thomas J. Beers  
Gregory M. Cooke