

I appreciate the Commission allowing me to comment on Docket No. 12-268.

As an LDTV CP holder and station owner I am very concerned about the repercussions the auctions and repack will have on low power television.

It's no secret that low power TV is in many ways a disadvantaged broadcast service monetarily speaking due to its secondary status and reluctance on the part of MVPDs to carry the stations and yet the service offers some of the most diverse programming available. LPTV also offers one of the easiest entry points for minorities and women to own broadcast properties. But if any service is going to feel the full brunt of the repacking plan, certainly LPTV will. Therefore any assistance the FCC can provide to low power TV during the repacking, ensuring that the relocation proceed in an orderly manner, is crucial.

I suggest that the Commission be fully involved in the relocation process of LPTV stations to other channels by identifying and/or assigning specific channels for displaced stations. If such an assignment is not satisfactory then the station can file an application along with the necessary exhibits requesting another open channel if one is available. For mutually exclusive applications I would recommend that the FCC either negotiate a channel sharing arrangement between the stations or offer an alternate channel should one be available.

I fully support channel sharing for LPTV stations as this may be the only means in some markets that a low power station can stay on the air. However, channel sharing can be a thorny issue and many stations may not want to channel share, particularly if it is a full power or Class A paired with an LPTV station. I would suggest that the Commission consider offering incentives for channel sharing with LPTV; such as a tax credit or fee waiver (if such is permissible under law). In some cases, the FCC may have to take a direct hand in pairing stations with LPTV.

Another problem could involve the cost of channel sharing and the potential for the host station to unfairly charge excessive fees, perhaps with the intent of forcing the dependent station off the air. The Commission needs to consider how leasing fees can be determined that are equitable to both parties as well as a streamlined arbitration process for stations that channel share when problems arise.

I absolutely believe that now is the time for the FCC to remove the "back of the bus" status that low power TV has endured all these years as it relates to cable and MVPD carriage. Mandatory carriage is a must if LPTV is to survive. If nothing else, an LPTV station that loses some coverage of its over-the-air signal due to repacking and channel re-assigning and/or channel sharing should be compensated with mandatory carriage, at least on cable, with a provider in the station's COL (but definitely not outside the low power station's COL). However, if an LPTV station is paired with a full power or Class A station and it results in an increase of coverage, then the low power station need not be eligible for mandatory carriage.

As some networks have written, I too, am concerned about the FCC conducting the incentive auction while simultaneously conducting a forward auction. This could result in a rush to reclaim spectrum at the expense of sound engineering practice as it relates to the protections afforded to broadcasters as outlined in the 'Spectrum Act.' I would suggest a 60-90 day wait period before beginning the forward auction. Transparency as it relates to impacted stations should be of highest importance during the auction process.

Finally, I call on the FCC to seriously consider postponing the incentive auction and repacking until after broadcast television deploys the ATSC 3.0 standard. This new standard is crucial for the future of broadcast TV as it relates to multi-screen distribution as well as being able to offer either the same or enhanced services within a smaller slice of spectrum.

Thank you for your time.