

Dear Ms. Dortch,

As a female, the majority shareholder of our broadcast enterprise, and the mother of six children, my primary concern is about matters related to family. I believe that unwholesome media influences have had a detrimental impact on American society. The negative results are most obvious in the breakdown of families across our nation. When my husband and I decided to build a broadcast television operation, our decision was to bring family entertainment that would provide family-friendly programming safe for all viewers. We have never had cable or satellite television in our home. It is our belief that much of the content conflicts with our personal views and beliefs. We do not want our family to be influenced by the vulgarity that has become so common on those sources of entertainment. It is therefore important to us to bring responsible programming to our viewers. Our mission has always been to bring hope and encouragement to people who have lost hope and have become discouraged. The low-power TV stations that we have worked so hard to build and license would achieve that goal. Now we fear that the FCC intends to destroy our business, silence our voices, and stop us from fulfilling our covenant with the public.

It has always been a standard practice for the FCC to renew the TV broadcast licenses for all licensees who fulfil their covenant to serve the public and broadcast according to the terms of their authorization. The implicit promise of the FCC to renew our licenses was a basis upon which we invested to build stations to serve the public.

Likewise, when we invested to convert our 6MHZ analog LPTV stations to 6MHZ digital LPTV stations, as mandated by the FCC, we did so under the implicit promise we would be permitted to pursue all the expected future benefits of television's new digital age. And we continued to expand the free services our licensed 6MHZ stations provide.

It was clearly understood that the services we provided were done so on broadcast licenses secondary only to full service and Class A TV broadcasters. Our licenses, and the Construction Permits that we were issued, have always functioned pursuant to the rules of the FCC's Media Bureau. The regulations and practices established that define our secondary status have been done within the Media Bureau. Our efforts through multicasting have allowed us to provide programming in both English and foreign languages not otherwise available to these communities. Our investment was further based on the future opportunity both to participate in the current broadcast TV models and to maximize our future opportunities by offering mobile TV and other enhanced services as the digital industry matured. We believed wise regulatory decision-makers would open the floodgates of innovation and encourage TV broadcasters to be unshackled from old technologies and would help solve future digital congestion by freeing broadcasters to provide data distribution and other ancillary services that would facilitate economic and technological growth. We desired to participate in this exciting new future of communication in America. We intended to do our part in contributing to the digital growth of our community and we had every reason to believe we would be permitted to share

in the successful opportunity to grow and prosper.

Instead, the FCC has indirectly--but unmistakably--threatened to confiscate the spectrum we have licensed with the intention to redistribute it to powerful wireless monopolies. As a result, the FCC would thereby intentionally destroy our business. Furthermore, as a byproduct, it would permit and encourage the monopolies to tighten their stranglehold on the future of consumer, business, academic, and even government video, data, and voice communication in America.

Innovation thrives when competition is strong. We want to participate in the digital future of communication, not as shackled customers of a monopoly but as licensed stakeholders helping to build that better future. Please do not rob our family of the dream we are so close to achieving. Please do not stop us from providing wholesome, family-friendly, and, most importantly, free entertainment to our communities.

The NPRM contradicts the intentions of Congress which specifically provides for the protection of LPTV, stating that nothing in the repacking provision "shall be construed to alter the spectrum usage rights of low-power television stations [Spectrum act 6403(b)(50)]." There was certainly no mistaking the intention of this language as expressed by Congressman Joe Barton. Congressman Barton never intended for the FCC to have the right to wipe out existing licensed LPTV broadcasters who were serving the public.

Our current spectrum usage rights are easily identifiable through widely used industry standards recognized by the FCC. Our current LPTV licenses and/or LPTV Construction Permits allow us to broadcast within our specific 6MHZ at least one program stream, or as many program streams as we deem practical. The spectrum usage rights licensed are to present these program streams to a protected contour engineered with known population estimates based on accepted Longley Rice contour studies done in accordance with FCC OET Bulletin 69. These licenses and permits are subject to interference only from full power broadcast television stations. As an LPTV licensee, we understand we are prohibited from creating interference from full power TV broadcasters. We understand we must accept interference from full power TV broadcasters if it exists. However, there are no other licensed or unlicensed users that can diminish our spectrum usage rights. If there were, the FCC would have informed us before acting on the implicit promises of the agency that authorized our extensive investments into the communities where we were licensed to serve the public through free over-the-air television broadcasts.

One of the greatest injustices in the proposed Voluntary Incentive Auction and the National Broadband Plan plan is the hardship it places on LPTV investors who, though they have been authorized to provide new television services to rural communities through the grant of new digital LPTV Construction Permits, they are currently at risk of expiration before the outcome of the

legislation is known. We have been burdened with two choices: 1) lose our privilege of constructing through expiration, or 2) invest without knowing the expectation of how the FCC's decisions will impact our investments. The NPRM suggests that the intent of the FCC might be to silence our operating stations without compensation. If that were allowed to happen, they could just as easily destroy the future stations built on the authorizations granted as current Construction Permits. It is unfair to force us to build them under the cloud of the spectrum repack. And it is equally unfair to force us to lose them through expiration before regulatory certainty can be established.

The FCC had sound logic when it imposed the September 1, 2015 digital LPTV transition deadline and acknowledged that an earlier deadline for digital companion and flash-cut applications may create hardship among the licensees. In particular, the Commission concluded that an earlier deadline would unfairly,

require some low power operators to construct digital facilities twice: once to meet the 2012 conversion deadline; and then later in accordance with any reallocation scheme. We agree that it would be preferable for these stations not to have to make the significant investment required for conversion to digital facilities, when such facilities may have to be substantially modified due to channel displacement or taken off the air altogether in connection with the implementation of a spectrum repacking scheme.

Therefore, it was just and fair that digital flash-cut and companion channel modifications were automatically extended until September 1, 2015. It is unjust and potentially illegal to refuse to allow the same automatic extensions to the digital construction permits that the FCC granted prior to the release of the National Broadband Plan. We simply need more time before hiring employees and pouring millions of dollars into these new projects. It would be unfair to insist this be done prior to knowing the effects that the auction and/or repack will have on our investments.

We understand that if after the repacking, we are forced to move to another channel, that move must be done at our own expense. But neither the repacking nor the voluntary spectrum auction should cause the FCC to silence any of our LPTV stations or hinder us from fulfilling our mission to bring hope and encouragement to our communities. It is imperative that the FCC protects all licensed LPTV stations. Congress has insisted that our spectrum usage rights must be preserved. The FCC has both the legal and the moral obligation to protect honest licensed LPTV broadcasters.

Sincerely,

Adrienne Weiss
EICB-TV WEST, LLC

