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March 7, 2013

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Notice of Ex Parte Communication, Docket No. 12-268, RM-11684,
and MB Docket No. 09-182**

Dear Ms. Dortch:

On March 5, 2013, Justin C. Sasso, President and CEO of the Colorado Broadcasters Association ("CBA"), Dan Smith, General Manager of LPTV Station KWHS, Colorado Springs, Robert A. Call, Senior Vice President/General Manager, Lincoln Financial Media's Denver radio stations, and Richard R. Zaragoza, the CBA's Washington Counsel met at the Commission's headquarters in Washington, DC with Commissioner Mignon L. Clyburn, and David F. Grimaldi, and Louis Peraertz of her office.

With respect to Spectrum Auctions, Docket No. 12-268, members of the CBA delegation made the following points:

1. The Denver DMA runs north all the way up into the State of Wyoming. Approximately 500,000 residents, from the Denver DMA northward, are served by an estimated 450 LPTV stations and TV Translators which are a vital part of the Federal and State emergency alert systems protecting those residents. In addition, many of those TV Translators also function as necessary links in daisy chains in order to cover rural populations in mountainous terrain. For that reason, the loss of a single TV translator could have a cascading, disabling effect on the other translators in a chain.

2. The two main PBS stations in the Denver DMA are able to serve the Denver area with their main signal. However, because the Denver DMA runs all the way up into Wyoming, these stations must use "in market" translators to cover populace to the north of Denver. Communities like Boulder (pop. 98,889), Longmont (pop. 87,712), Loveland

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(pop. 68,203) and Fort Collins (pop. 146,762) are served by TV translators. If those translators were simply turned off, over 400,000 people, just in the cities listed, would lose public television.

3. It is also important to note that many of these unprotected public broadcast translators and CPs were purchased with tax payer dollars to build a more robust public television system. The people served by these signals are going to want to know why they've lost their public television programming, why their tax dollars were used to purchase translators that were forced to go dark and why these translators, which offered free over-the-air programming, were turned off to make room for private broadband corporations whose intentions of providing any form of free programming with their use of this spectrum is highly unlikely.

4. In the southern portion of the State, it is estimated that numerous LPTV stations and TV translators serve another 250,000 residents so any disruption to the service provided by those facilities would be equally devastating to them.

5. If the Commission were to re-allocate upwards of 120 MHz of TV spectrum from the Denver DMA and northward, the vast majority of those LPTV and TV translator facilities would have to go dark. If those stations were forced to go dark, it is estimated that half a million Coloradans, a significant number of whom are Hispanic or Native American, would become disenfranchised, losing access to life-line communications services, news, emergency alerts and other information.

6. The loss in the broadcast-based communications services would also adversely affect the following Colorado-based military installations and institutions, Cheyenne Mountain (NORAD), Peterson Air Force Base, Fort Carson Army Base, Shriever AFB and the Air Force Academy.

Based on this, the CBA representatives urged the Commission to undertake DMA-specific, fact-based, public interest determinations weighing, for each market, the adverse effects which a particular "national" TV spectrum reallocation goal would have on the residents served by all potentially affected LPTV stations and TV Translators.

In connection with the Entercom Petition (RM-11684), the Commission was urged to initiate as soon as possible a rule making proceeding which looks toward amending the Commission's station-sponsored contest rule in a way that would allow stations to use their websites, in lieu of broadcast announcements, to set forth the terms and conditions of their contests. It was noted that before the advent of the Internet, it was more convenient for a listener or viewer to learn about a station's contest rules via on-air announcements than having to come to a station's studios to pick up a copy of those rules. However, the Internet has significantly changed that balancing equation, making it much more convenient and helpful for listeners and viewers to be able to review those rules online at their convenience.

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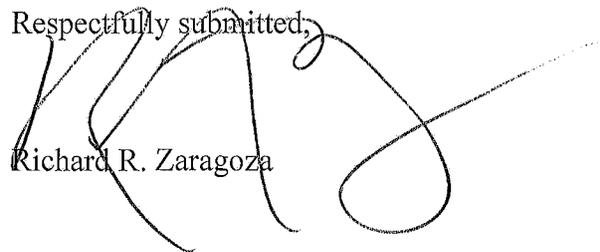
Under the topic of JSAs and SSAs (MB Docket No. 09-182), these points were made:

1. The CBA very much supports the important goal of easing the path for more minorities and women to become owners of radio and television stations.
2. While recognizing the nation's fiscal challenges, the CBA supports the return of "tax certificates" as a proven, effective way to accomplish that goal.
3. Notwithstanding the absence of "tax certificates," it should be appreciated that the marketplace, via JSAs and associated loan guarantees, is already easing "access to capital," the foremost challenge faced by so many persons, including minorities and women, who wish to become owners of television stations.

Please associate this letter with the Commission's files for each of the proceedings referenced above.

If there are any question concerning this matter, please communicate with the undersigned.

Respectfully submitted,


Richard R. Zaragoza

cc: (via email):
The Honorable Mignon L. Clyburn
David F. Grimaldi, Esq.
Louis Peraertz, Esq.