

Congress of the United States

Washington, DC 20515

December 11, 2012

1590

The Honorable Julius Genachowski
Chairman
The Federal Communications Commission
445 12th Street SW
Washington DC 20554

Dear Mr. Chairman:

We are writing to you with respect to the television broadcast incentive auction that Congress authorized as part of the Middle Class Tax Relief and Job Creation Act of 2012. We are particularly interested in the potential impact incentive auctions will have on television viewers in California.

As you know, Congress adopted this legislation to permit those television licensees that choose to exit the broadcast business to do so voluntarily, thereby freeing up frequencies that can then be reallocated for wireless broadband services. While increasing the amount of spectrum allocated to wireless broadband fulfills an important national goal, it is equally important that the Federal Communications Commission (“Commission”) protect the public’s ability to receive free television from stations that remain on-the-air after the auction. Maintaining existing viewer access to free broadcast television should be a top goal for the Commission as it moves through this rulemaking process.

Recent statistics demonstrate that the number of Americans who rely exclusively on free over-the-air service has grown to nearly 54 million, and trends suggest that the number of over-the-air households will continue to grow. In California, our diverse populations have an even stronger reliance on over-the-air television. It is absolutely critical that these viewers—many of whom rely on foreign language broadcast programming—are not disenfranchised as a result of the upcoming auction.

In enacting the legislation, Congress incorporated important safeguard provisions that ensure continued viewer access to free television. We note, however, that the Commission’s recently released Notice of Proposed Rulemaking (“NPRM”), while comprehensive in some areas, lacks important detail that could impact viewers of over-the-air broadcasting. First, the NPRM provides little specificity on how the Commission plans to coordinate with the Mexican and Canadian governments when repacking television stations along our countries’ borders. This is of particular concern because of the potential for harm to our constituents along California’s southern border with Mexico. Second, the NPRM lacks specific detail on potential consumer disruptions that could result from this auction. Important questions—such as will viewers lose access to programming when stations move to a new channel; how long will viewers lose access to their stations; how can that loss be minimized; and how will that loss of service be communicated to viewers—are not asked in the NPRM. Finally, the NPRM leaves open

the possibility that spectrum could be reallocated from low-power television stations and translator services even in areas where there may not be a need to free more spectrum for broadband. What is the Commission's plan as it relates to the over 400 low-power stations and translators in California? Whatever final bandplan the Commission adopts, it is imperative that the process be fully transparent, disclosing detailed plans to the public at the earliest possible opportunity.

We agree that freeing up spectrum for wireless broadband services is important. However, achieving that goal should not come at the expense of California's television viewing public. Congress's directive to the FCC is clear: Americans deserve both the best broadband service in the world and a strong, vibrant free television system. In whatever way the Commission decides to move forward, we encourage you to keep those twin goals in mind. Additionally, to help us more fully understand the Commission's notice, we ask the Commission to provide us with a briefing on the potential impact of the upcoming incentive auction. Please contact Moh Sharma (202-225-5464 or moh.sharma@mail.house.gov) in Congresswoman Judy Chu's office to coordinate this briefing.

We thank you for your attention to this request, and look forward to hearing from you.

Sincerely,



JUDY CHU
Member of Congress



BRIAN P. BILBRAY
Member of Congress



GRACE F. NAPOLITANO
Member of Congress



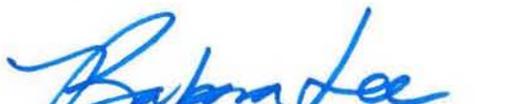
XAVIER BECERRA
Member of Congress



MIKE C. THOMPSON
Member of Congress



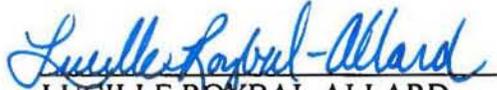
JERRY McNERNEY
Member of Congress

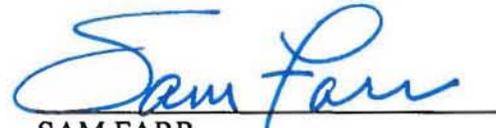


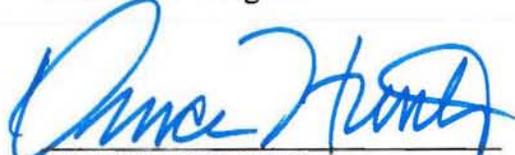
BARBARA LEE
Member of Congress



ADAM SCHIFF
Member of Congress


LUCILLE ROYBAL-ALLARD
Member of Congress


SAM FARR
Member of Congress


DUNCAN HUNTER
Member of Congress


LOIS CAPPS
Member of Congress


LORETTA SANCHEZ
Member of Congress


MICHAEL HONDA
Member of Congress


JIM COSTA
Member of Congress


MAXINE WATERS
Member of Congress


TOM McCLINTOCK
Member of Congress



Federal Communications Commission
Office of Legislative Affairs
Washington, D.C. 20554

Office of the Director

February 27, 2013

The Honorable Xavier Becerra
U.S. House of Representatives
1226 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Becerra:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

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Gregory Guice
Director
Office of Legislative Affairs



**Federal Communications Commission
Office of Legislative Affairs
Washington, D.C. 20554**

Office of the Director

February 27, 2013

The Honorable Brian Bilbray
U.S. House of Representatives
2410 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Bilbray:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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Office of the Director

February 27, 2013

The Honorable Lois Capps
U.S. House of Representatives
2231 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Capps:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Judy Chu
U.S. House of Representatives
1520 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Chu:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Jim Costa
U.S. House of Representatives
1314 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Costa:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Sam Farr
U.S. House of Representatives
1126 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Farr:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Mike Honda
U.S. House of Representatives
1713 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Honda:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Duncan L. Hunter
U.S. House of Representatives
223 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Hunter:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Barbara Lee
U.S. House of Representatives
2267 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Lee:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Tom McClintock
U.S. House of Representatives
428 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman McClintock:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Gerald "Jerry" M. McNerney
U.S. House of Representatives
1210 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman McNerney:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Grace F. Napolitano
U.S. House of Representatives
1610 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Napolitano:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Lucille Roybal-Allard
U.S. House of Representatives
2330 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Roybal-Allard:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Loretta Sanchez
U.S. House of Representatives
1114 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Sanchez:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Adam Schiff
U.S. House of Representatives
2411 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Schiff:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Mike Thompson
U.S. House of Representatives
231 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Thompson:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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February 27, 2013

The Honorable Maxine Waters
U.S. House of Representatives
2344 Rayburn House Office Building
Washington, D.C. 20515

Dear Congresswoman Waters:

Thank you for your letter commenting on the Commission's *Notice of Proposed Rulemaking* to implement the broadcast incentive auctions authorized by the Middle Class Tax Relief and Job Creation Act of 2012. The Commission's work in its incentive auction proceeding is guided by a set of core goals and principles that include maximizing broadcaster participation by, among other things, making the auction process as transparent and easy-to-understand as possible. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

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