



May 15, 2013

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Re: In the Matter of Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions, GN Docket No. 12-268, Notice of Ex Parte Communication

Dear Ms. Dortch,

On Monday, May 13, 2013, Rick Kaplan, Jane Mago, Victor Tawil and Bruce Franca of the National Association of Broadcasters ("NAB"), met with Commissioner Ajit Pai, and Matthew Berry, Courtney Reinhard and Josh Cox of the Commissioner's staff.

In the meeting, NAB explained its views on the challenges and opportunities with respect to broadcaster repacking and the 600 MHz post-auction band plan proposed in the incentive auction proceeding. NAB's presentation is reflected in the attached document.

NAB reiterated its desire and commitment to work with the Commission and all interested stakeholders to resolve outstanding issues and move forward as expeditiously as possible toward a successful auction.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jane E. Mago", written in a cursive style.

Jane E. Mago  
Executive Vice President &  
General Counsel

Attachments

cc: The Honorable Ajit Pai, Commissioner

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

**Presentation to Commissioner Pai  
on  
Spectrum Incentive Auction**

May 13, 2013

## Overview

- The importance and role of repacking to the auction's success
  - International coordination essential
  - The potentially devastating impact on translators and LPTVs and the need to minimize disruption in rural and western states and to diverse communities.
- The threat of a variable band plan
- Non-participating broadcasters and their viewers should not be harmed

# Broadcaster Repacking

## Repacking

- FCC should aim to minimize the number of stations forced to move as it repurposes spectrum
  - Minimizing would cabin the certain consumer disruption (the more stations that move, the greater number of viewers that lose service)
  - Due to constrained resources, a limited number of stations can meet three-year construction deadline
  - If repacking is not minimized, the “voluntary” auction becomes coercive, as broadcasters who do not participate will have to go out of pocket to pay for stations moves they never sought
    - This is one of the reasons the FCC should view the TV Broadcaster Relocation Fund as a budget, and not simply a slush fund
  - Reduces harm to translators and LPTVs

## 2011 NAB Study: Number of Broadcast Stations to be Relocated to Lower Channels

Spectrum Reclaimed	Station Type	Total Number of TV Stations	TV Stations Relocated*	Total TV Stations Relocated*
120 MHz	Full Power	1,735	672	881
	Class A	502	209	
84 MHz	Full Power	1,735	450	593
	Class A	502	143	
60 MHz	Full Power	1,735	320	421
	Class A	502	101	

\*It is important to note that these numbers reflect only the full power and Class A stations that must move *out* of the new wireless band. Additional stations below that band *will also have to move* to accommodate the newly relocated stations from the wireless band.

## 2011 NAB Study

- Identified the “critical areas” for spectrum recovery; those areas where the auction should focus
  - Not necessarily Top 30 market stations
  - International coordination holds a major key to success



Spectrum Reclaimed	Volunteers Needed (Minimum)	DMAs Affected
120 MHz	391	86
84 MHz	215	53
60 MHz	151	33

## 2011 NAB Study: Volunteers Needed at 120 MHz

DMA Rank	Market	Number of TV Stations	Stations With No Ch.
1	New York	27	16
2	Los Angeles	29	14
3	Chicago	22	6
4	Philadelphia	24	14
5	Dallas-Ft. Worth	20	2
6	San Francisco-Oakland-San Jose	28	14
7	Boston	23	9
8	Atlanta	18	2
9	Washington, DC	22	9
10	Houston	19	4
11	Detroit	14	14
12	Phoenix	25	2
13	Seattle	18	10
14	Tampa	19	4
15	Minneapolis-St. Paul	20	0

## 2011 NAB Study Findings/Lessons Learned

- A limited number of DMAs are critical to the recovery of any amount of spectrum
- Not all “critical” DMAs are located in the top 30 markets
  - Relative location of DMAs to each other more important than their size
  - For example, Salisbury, MD (DMA 143) and Scranton, PA (DMA 54) affect Boston/Washington corridor
- Minimum number of stations needed in critical DMA groupings (e.g., Northeast corridor)
- International coordination (especially US/Canada) will have a significant impact on amount of spectrum being reclaimed

## Auction Impact on Translators

State	Total Stations	Minimum No. of Stations Impacted by Spectrum Amount					
		120 MHz		84 MHz		60 MHz	
		Must Move*	Must Go Off-Air	Must Move*	Must Go Off-Air	Must Move*	Must Go Off-Air
Arizona	236	109	30	78	11	54	5
California	637	258	114	187	58	131	12
Colorado	545	221	124	151	82	104	56
Montana	470	160	24	118	7	90	1
Minnesota	256	135	23	96	12	69	4
New Mexico	301	148	7	104	2	79	--
Nevada	362	150	42	107	21	75	7
N. Carolina	208	93	25	65	6	50	--
Oregon	422	180	66	122	36	91	20
Texas	626	302	34	231	5	148	--
Utah	1154	534	652	356	589	239	554
Washington	229	97	17	66	8	47	2

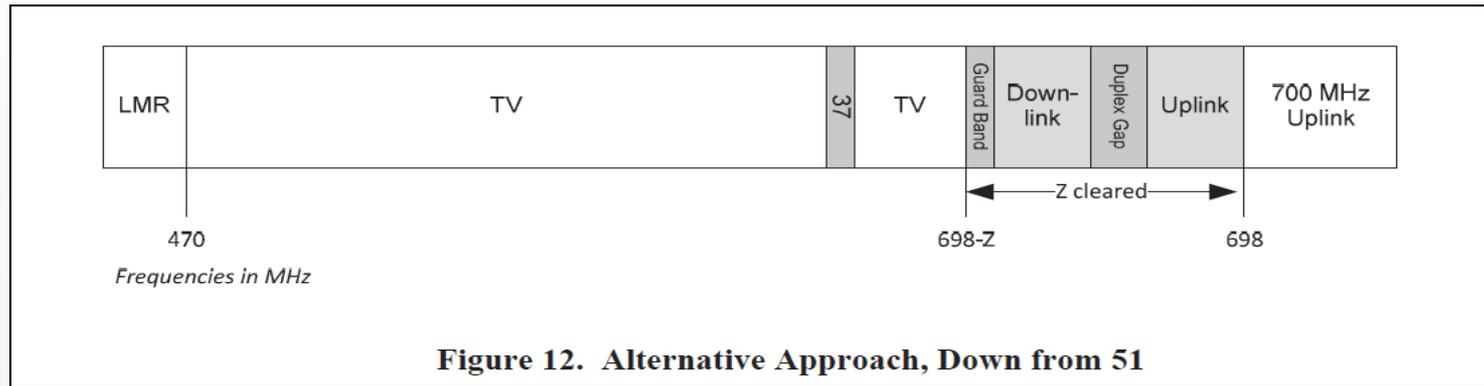
Table 2<sup>39</sup>

## Translator Examples

- KNPB in Reno, Nevada uses 28 translators to reach 423,000 of its 845,000 viewers, including 27 tribal communities
- WGEN-TV, Key West, Florida has a network of 5 translators that provide Spanish-language programming throughout Keys
- KNPB in Reno, Nevada uses 28 translators to reach 423,000 of its 845,000 viewers, including 27 tribal communities
- 50% of New Mexico public television viewers (including members of the Navajo Nation) are reached by translators
- Translators provide service to 69 percent of public television's coverage in Wyoming
- ABC affiliate, KOAT-TV, uses 31 translators to serve the Albuquerque-Santa Fe DMA with five translators providing coverage to over 23,500 Native Americans on tribal lands

## 600 MHz Post-Auction Band Plan

## Alternate National Band Plan



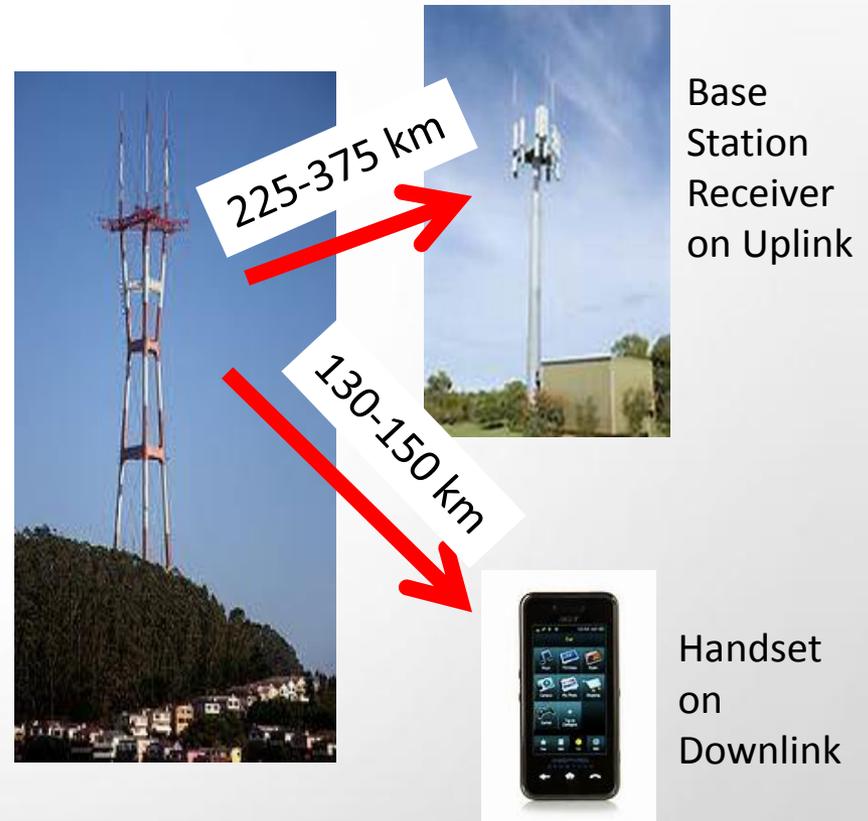
- Auction should strive to create a uniform, national band plan for wireless and broadcasting
  - Every party at 5/3 FCC workshop endorsed Down from 51 plan
  - Simplifies auction and repacking
  - Allows auction funds to target areas where wireless spectrum most needed
  - Eliminates “variable plan” interference issues
  - Minimizes encumbered wireless channel blocks

## Interference Cases

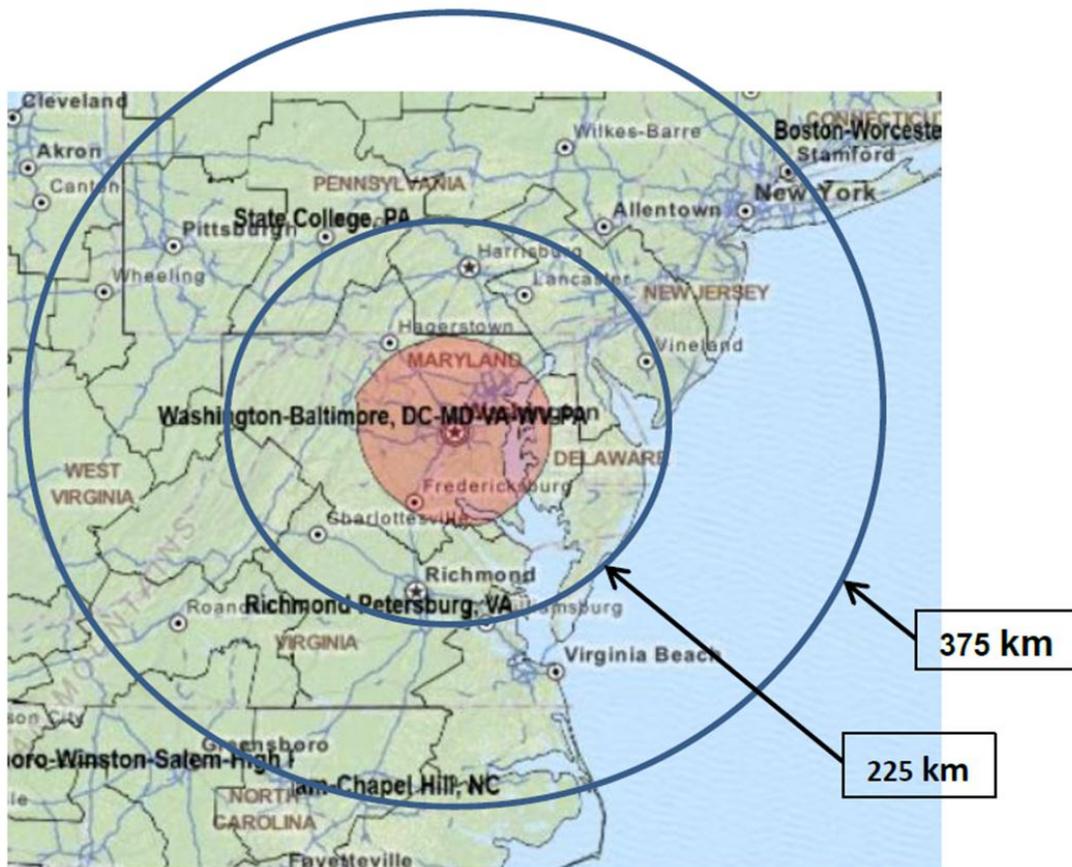
### Interference to DTV Reception



### DTV Interference to Wireless

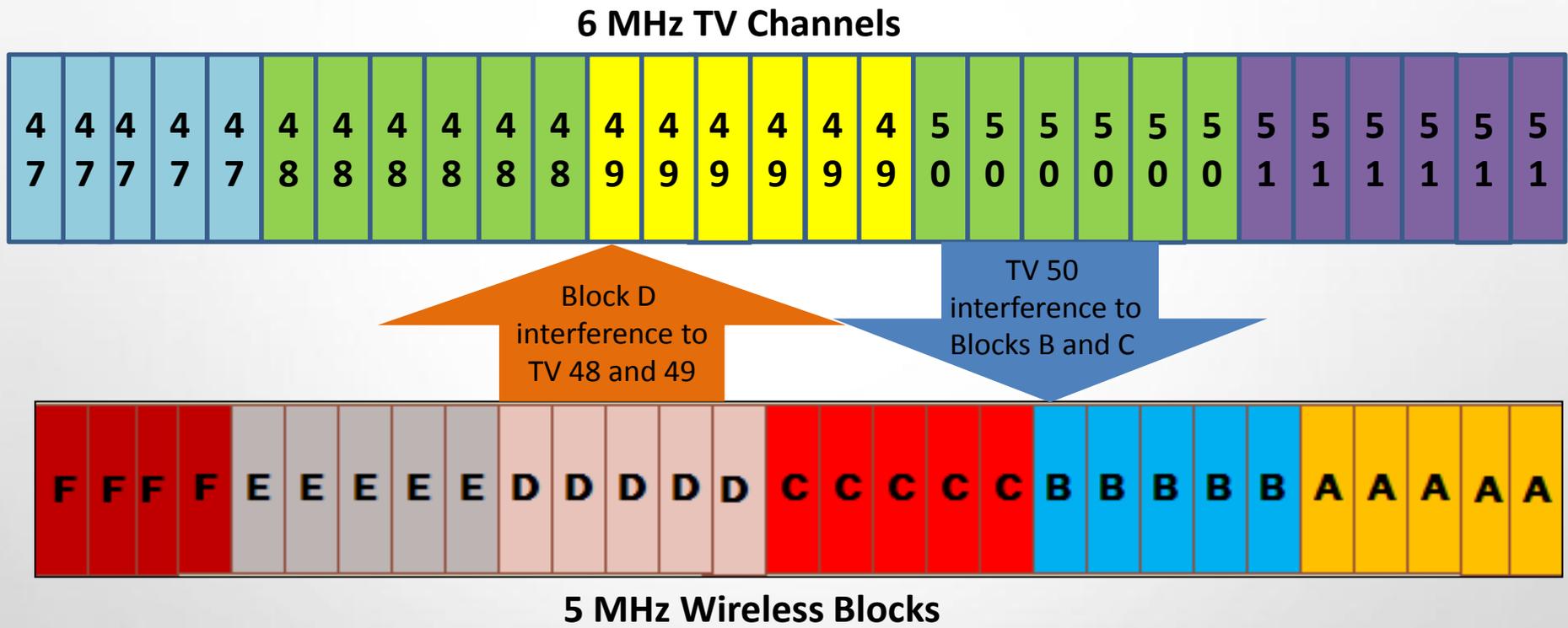


## Washington Example

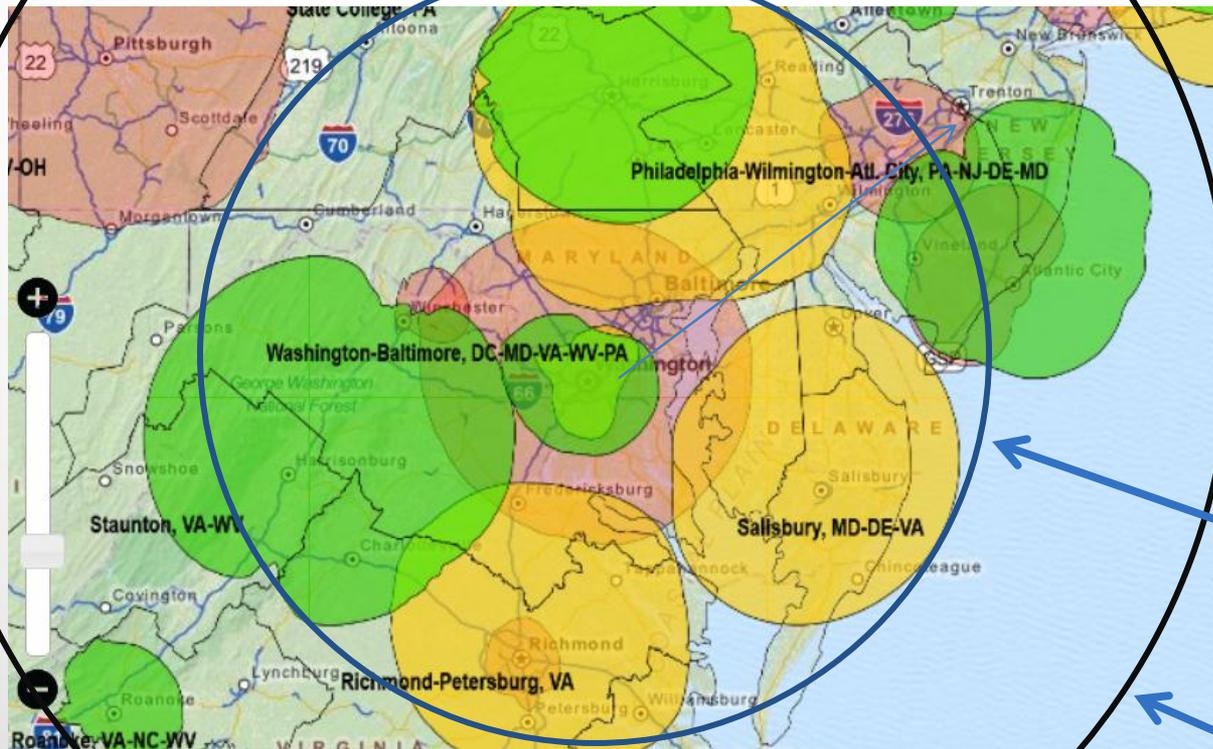


DTV Channel 48

## Additional issue with the variable plan: Channel bandwidth mismatch



## Uplink Separation Distances



225 km  
(7 EAs)

375 km  
(15 EAs)

Washington-Baltimore EA  
TV Channels 47, 48 and 49

## Requested Near-Term FCC Actions

- Broadcasters seeking certainty and transparency
  - Industry still waiting for FCC to release auction “repacking” software as sufficient time is needed to permit public comment, analysis and review
    - FCC proposed interference options require further public discussion
  - FCC should adopt CEA recommendation to create industry/government working group for international coordination and to develop cross-border plans
  - FCC must maintain current OET-69 methods for determining TV station coverage areas
    - OK to port program to newer, faster computers for auction