

November 19, 2013

Via Electronic Comment Filing System

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20544

Re: In the Matter of Equipment and Operational Issues  
Identified Following the First Nationwide Test of the  
Emergency Alert System  
EB Docket No. 04-296

The Ohio Association of Broadcasters, North Carolina Association of Broadcasters, and Virginia Association of Broadcasters (collectively, the “Associations”), through their undersigned counsel, file these comments in response to the Commission’s Public Notice issued September 23, 2013, in the above-referenced matter.<sup>1</sup>

The constituent member stations of the Associations are committed to providing their local communities life-saving emergency information. The Associations recognize that the Emergency Alert System (“EAS”) is an important part of the public service mission of broadcast stations.

Whatever action the Commission may take in this proceeding, the Associations urge the Commission to take a flexible approach to operational and technical improvements to the EAS. Specifically, the Associations support the arguments of the National Association of Broadcasters, certain other State broadcaster associations, and other filers who have suggested a flexible approach to the presentation of emergency information (text and audio) to the public. Broadcasters have varying EAS configurations and equipment—equipment which has been acquired, installed, and maintained at broadcaster expense. Considering the significant variation among EAS architecture and equipment in service at stations around the country, a one-size-fits-all approach to the presentation of emergency information should be avoided. Flexibility will

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<sup>1</sup> See Public Safety and Homeland Security Bureau Seeks Comment Regarding Equipment and Operational Issues Identified Following the First Nationwide Test of the Emergency Alert System, Public Notice, EB Docket No. 04-296, DA 13-1969 (rel. Sept. 23, 2013).

better allow broadcasters to provide their local communities with important emergency information.

Additionally, the Associations agree with other commenters who have proposed that the Commission should amend its rules to require cable systems to pass through the signal of each television station that provides weather-related and other emergency information to its viewers during EAS activations. Public safety is compromised during EAS activations when cable systems override local station programming that includes critical emergency information. Local television stations are an important source of geographically targeted weather-related and other emergency information to the public—yet cable systems undermine the efforts of local stations to provide their communities with this critical information when cable systems choose to override local programming with other content during EAS activations.

As discussed above, the Associations respectfully urge the Commission to take a flexible approach to the presentation of emergency information to the public and to require, during EAS activations, all cable systems to pass through television programming that makes weather-related and other emergency information available to viewers.

Respectfully submitted,

BROOKS, PIERCE, MCLENDON,  
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/s/

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