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Submitted via the Commission's Electronic Comment Filing System

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

Re: GN Docket No. 12-268; Comments on the Widelity Report

Dear Secretary Dortch:

Pursuant to the Commission's March 20, 2014 Public Notice (DA 14-389) ("Notice") the following comments are being submitted anonymously on behalf of certain broadcast licensees with stations in various top 75 markets. These broadcasters are not affiliated with any of the top 4 television networks.¹

The Notice seeks comments on the report by Widelity, Inc. ("Widelity Report") on the costs and steps broadcasters (and MVPDs) will have to undertake during any repacking following the spectrum auction next year (or whenever finally set). The Widelity Report was prepared as part of the Commission's ongoing preparation for implementation of the voluntary incentive auction authorized in the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, §§ 6402, 6403, 125 Stat. 156 (2012) (Spectrum Act). Section 6402 of the Spectrum Act authorizes the Commission to conduct incentive auctions in which TV licensees may voluntarily relinquish their spectrum (the forward auction), and Section 6403 allows TV licensees to specify in a reverse auction the amount of payment they would take to vacate their spectrum usage rights, and at what level (i.e., all rights, UHF usage rights, or channel sharing). Section 6403(b)(2) also specifically limits the "repacking" of the television spectrum and obligates the Commission to "make all reasonable efforts to preserve [] the coverage area and population served of each broadcast television licensee, as determined using the methodology described in OET Bulletin 69 of the Office of Engineering and Technology."

The Widelity Report did not fully address the inevitable delay in the manufacture and

¹ On December 18, 2012 the Commission issued a Public Notice, DA 12-2040, encouraging participation in GN Docket No. 12-268 by broadcasters wishing to do so on an anonymous basis

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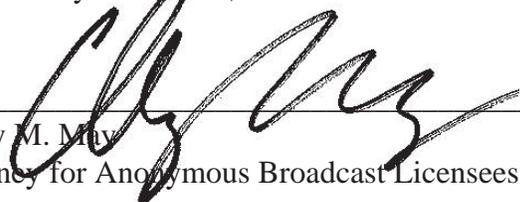
delivery of the antenna, transmission line or waveguide, and transmitter equipment needed for broadcasters to make the required channel moves during repacking. For example, as these commenters understand it, because of the Commission's freeze on TV applications the second major antenna manufacturing company, Electronics Research Inc. ("ERI") (formerly Andrew Corp), has experienced financial trials and has dramatically reduced and/or eliminated its TV antenna personnel. ERI has been the primary supplier of line and antennas for these commenters for many decades. Commenters have appreciated the quality and reliable products ERI has provided at good prices and with timely manufacture and delivery. Given ERI's uncertainty as a going-forward manufacturer, and with Dielectric already having failed and under new ownership, the only antenna manufacturers left in the country will be smaller and less experienced. The Wideline Report should be expanded to address in detail how the paucity of manufacturers will surely negatively impact the repacking process and time-line.

Also, Dielectric and ERI are two major feedline suppliers as well. It is inevitable that when the auction concludes, and the repacking starting gun is fired, there will be hundreds of stations all flooding the market with simultaneous construction needs. A market of seasoned, well known quality manufacturers will, unfortunately, simply not be there and those that are will face considerable lead times to gear up for the flood of hundreds of simultaneous orders, all of which will face near identical and strict time-lines for completion.

These same concerns are present for transmitter manufacturers. The TV application freeze has also negatively impacted their business. These commenters are similarly concerned that their primary transmitter supplier, Comark, has been negatively impacted, and forced to down-size its factory personnel. So, when the repacking race begins there will be enormous backlogs and timely manufacture and delivery will be extremely difficult, if not impossible. The Wideline Report should also address this in detail.

The Wideline Report was a fine report and provided important and needed information on the many issues broadcasters will face during repacking. The lack of known and respected manufacturers, however, is real and additional focus on the issue is needed. Hopefully the Wideline Report can be supplemented with the information needed to address this concern in detail.

Respectfully Submitted,



Colby M. Miv
Attorney for Anonymous Broadcast Licensees

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