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STEVEN HORSFORD
CONGRESS OF THE UNITED STATES
4TH DISTRICT, NEVADA

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ENERGY & MINERAL RESOURCES
PUBLIC LANDS & ENVIRONMENTAL
REGULATION

April 9, 2014

The Honorable Tom Wheeler
Chairman
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

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Dear Chairman Wheeler:

As the Federal Communications Commission (FCC) works to finalize the rules for the inaugural voluntary incentive auction, I encourage the FCC to consider the role of translators and low-power television stations in delivering over-the-air television to Nevada's rural communities. Many farmers and ranchers, small businesses and families living in remote areas rely on receiving over-the-air television through translators and low-power television stations. With this in mind, I ask the FCC to examine options to minimize the impacts of repacking spectrum in rural areas following the upcoming incentive spectrum auction.

In the Middle Class Tax Relief and Job Creation Act (P.L. 112-96), Congress authorized the FCC to conduct the first-ever voluntary spectrum incentive auction. However, the Act did not contain specific provisions regarding the importance of maintaining over-the-air television networks in rural, mountainous or otherwise hard-to-reach areas that depend on translators or low-power television stations. Across my vast and mountainous state, my constituents rely on over-the-air television to access vital news programming, weather updates, emergency announcements and educational and entertainment content.

Television translators and low-power television stations are deployed across the nation to extend the reach of full-power stations or to provide over-the-air service where it wouldn't exist otherwise. In fact, there are more than 300 translators and low-power television stations in Nevada many of which are taxpayer-funded. Furthermore, translators often operate as a network relaying programming to the hardest-to-reach corners of our country. I implore the Commission to take a careful approach to repacking so as not to upset these carefully constructed daisy chains.

While I recognize that the repacking process will inevitably lead to changes for translators and low-power television stations, I urge the FCC to ensure that access to quality over-the-air television is preserved. Translators and low-power television stations are often owned and operated by small local entities that cannot afford retooling with their limited

resources. That's why it is crucial for the FCC to take into account the unique challenges of updating translators and low-power television stations after repacking spectrum.

I hope these important broadcasting issues can be addressed without delaying the spectrum auction. Thank you for your attention to this matter. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Steven Horsford". The signature is written in a cursive style with a large initial "S".

STEVEN HORSFORD
Member of Congress



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 22, 2014

The Honorable Steven Horsford
U.S. House of Representatives
1330 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Horsford:

Thank you for your letter asking the Commission to consider the impact of the upcoming voluntary Broadcast Television Spectrum Incentive Auction on rural, over-the-air, low power TV (LPTV) and TV translator stations. I appreciate the opportunity to respond, and will include your letter in the record of the proceeding.

I agree that LPTV and TV translators play an important role in providing information to consumers and businesses in rural communities. As you note, in the Middle Class Tax Relief and Job Creation Act, Congress did not provide LPTV or TV translator stations additional protections or provide an opportunity to participate in the Incentive Auction. In the *Incentive Auction Notice of Proposed Rulemaking*, the Commission sought comment on measures to help ensure that the important programming content that these stations provide continues to reach viewers.

I have recommended to my fellow Commissioners that we seek to clear a consistent amount of spectrum on a near-nationwide basis in the Incentive Auction, and not maximize the amount of spectrum recovered in rural areas. After the Incentive Auction, spectrum will remain available in many rural markets to accommodate LPTV and translator stations. However, some of these stations may be required to move to new channels. As you correctly state, these stations may not be able to afford the costs associated with moving and, as you know, the Spectrum Act provides reimbursement only to full power and Class A LPTV stations that will be repacked as part of the Incentive Auction.

To help accommodate some of the needs of LPTV and translator stations following the auction, I have recommended to my fellow Commissioners that these stations be permitted to remain on their existing channels during the transition period after the Incentive Auction, unless or until notified they interfere with the primary service, and that we open a special filing window for displaced stations to request new channels. The full Commission will consider these recommendations at its Open Meeting in May.

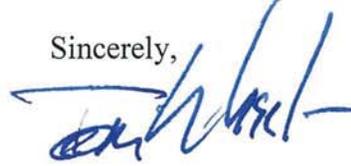
Additionally, we will initiate a proceeding to address other LPTV and translator issues related to the Incentive Auction. This proceeding will explore options for LPTV and TV translators to continue to serve their communities, including seeking comment on possible

Page 2—The Honorable Steven Horsford

extension of the low power digital transition deadline and channel sharing for LPTV stations, among others.

I appreciate your interest and concerns, and I hope this information is helpful.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line extending to the left from the start of the signature.

Tom Wheeler