

Cohen, Dippell and Everist, P.C.

Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Incentive Auction Task Force Releases)	
Updated Constraint File Data Using Actual)	GN Docket No. 12-268
Channels and Staff Analysis Regarding)	ET Docket No. 13-26
Pairwise Approach to Preserving Population)	
Served)	

Reply Comments
on Behalf of
COHEN, DIPPELL AND EVERIST, P.C.

These reply comments are submitted on behalf of Cohen, Dippell and Everist, P.C. (“CDE”). CDE and its predecessors have practiced before the Federal Communications Commission (“FCC”) for over 75 years in broadcast and telecommunications matters. The firm or its predecessors have been located in Washington, DC since 1937 and performed professional consulting engineering services to the communications industry.

The comments submitted by the National Association of Broadcasters (“NAB”) have been reviewed. This firm agrees “that the updated constraint files include hundreds of thousands of rows of data in an Excel spreadsheet. Making any significant analysis of the accuracy of these updated files impossible in the time permitted for comment.” For this firm, this has been a major factor in not being able to advise many of its clients the purpose and scope of this endeavor as it may affect their station’s service area and population. In addition, this firm wholeheartedly

agrees with NAB that without access to the FCC's algorithms and software used to create the constraint files there will always be an element of doubt.¹

In addition, we also believe that the FCC should release the CDBS files that correspond to the updated baseline files released on May 20, 2014. This will make it easier for stations to match the FCC's results and study scenarios.

Respectfully Submitted,

COHEN, DIPPELL AND EVERIST, P.C.



Donald G. Everist
President

DATE: July 22, 2014

¹As submitted by this firm in a recent filing, the firm found a distinct programming error used to determine replication ERP in the earlier DTV transition.