

**Patrick Butler, president and CEO of America's Public Television  
Stations Responses to the Questions for the Record on the September 7,  
2017**

**Subcommittee on Communications and Technology Hearing on  
"The Broadcast incentive Auction: Update on Repacking Opportunities and  
Challenges."**

**The Honorable Tony Cardenas**

- 1. Though it's easy for the general public to look at spectrum and the incentive auction as abstract concepts, this issue is actually extremely personal for many Americans, because it deals with something that is in Americans' homes. When I was young, my parents would turn on Univision in the morning and it would play in the background throughout the day. No channel-changing allowed.**

**Sometime in the next few months, my constituents are going to turn on their television and find out that the channel of their choice is no longer there.**

**One of the things this committee can do is make sure our constituents know what to do when that happens.**

**In California, more than 300,000 jobs depend on broadcasting, through 91 commercial Full Power TV stations, 227 Low-Power and Class-A TV stations, and 671 commercial Radio stations.**

**Local broadcasting is a significant economic force in California, and has an impact of more than \$157 billion annually on our state's economy.**

- a. What is the potential and likely impact of the repacking process on these jobs?**

**You've raised two very important issues: the need for consumer education to ensure that the post-repack channel assignments are well known, and the potential impact on jobs if the repacking process goes badly.**

**As we learned in the transition from analog to digital signals in 2009, adequate consumer education is a critical component of any transition in the broadcasting industry, since so many millions of Americans spend so much time watching television.**

**America's Public Television Stations and other broadcasters urged Congress to provide funds for post-auction consumer education in the 2012 legislation authorizing the auction, but unfortunately no such funds were committed.**

Yet the need still exists, and it is even more important in this transition than in the analog-to-digital transition since channel reassignments will be made on a rolling, market-by-market – even station-by-station -- basis over several years, rather than a single nationwide “switch” as we experienced in 2009.

Consumers will need to continuously rescan their television sets, over a period of several months, to keep finding their favorite programs

This challenge is particularly acute for public television stations, which provide the only pre-school education more than half of America’s children receive and which provide public safety communications services that can literally save lives.

Knowing where to turn for these essential services is of obvious importance, and as Congress considers providing additional funds to ensure that broadcasters are held harmless, as promised, in the repacking process, we would also encourage you to authorize appropriate funds for consumer education.

Consumers need to be held harmless, too.

In the 2009 transition, Congress ultimately provided \$90 million for consumer education, and we believe at least that much should be dedicated to consumer education in the post-auction transition as well. Congressman Pallone’s proposed Viewer Protection Act addresses this need quite well, and we would urge the Committee and the Congress to consider it seriously.

With respect to the impact on jobs if the repacking process goes wrong, the Corporation for Public Broadcasting advises us that there are more than 1,200 local public broadcasting employees in California, with combined annual ways exceeding \$73 million.

Local public television stations operate on shoe-string budgets, with each employee assuming multiple responsibilities, and an unfunded mandate requiring them to repack without sufficient funds to cover all the costs would endanger their jobs and their ability to serve their local communities.

Everything is at stake for our local public television stations in getting this repack right. It is essential that Congress and the FCC abide by the black letter of the law and ensure that local stations are not required to incur any of the costs for repacking.

- 2. There are 11 stations in my district in Los Angeles which will be repacked- that's almost 5.5 million viewers. A number of low power television stations will also be affected, and unlike full power stations won't have access to government funds to help them move.**
  - a. What are some specific challenges of low power television stations as compared to full power television stations?**
  - b. Are they in more or less danger of going off the air in the upcoming repack?**

Public broadcasters are charged by the Public Broadcasting Act to provide universal service to every part of this country, no matter how rural or remote. Our local public television stations take this mandate very seriously, and they depend on television translator service to help them fulfill this mandate.

Local public television stations operate nearly 600 translators nationwide, with some States having as many as 40-50 translators. Utah depends on more than 130 translators to reach all of its people in remote areas of the state.

To viewers at home, these are not secondary services—these translators are the only way many viewers have access to their local public television stations. If viewers lose access to these translators, they are also losing access to children's education; trusted public affairs, local history and local cultural programming that promotes civic leadership; and public safety services including alert and warning that literally save lives.

Yet, these translators are not protected in the repack. They are not guaranteed spectrum, nor are stations eligible for reimbursement for the costs of repacking any translators that they are able to fit back into the band post-repack.

Proposals to set aside even more spectrum for white-space usage -- or any other dedicated non-broadcast use beyond what has already been established by the FCC as part of the repacking plan -- further endanger these critical translator services and put at risk the rural constituents that depend on translator service to provide local broadcasting services, including local news and emergency alert and warning.

America's Public Television Stations urge Congress and the FCC to do nothing that puts at further risk these translators and the local stations that depend on them to provide public services to their local communities.