

October 10, 2017

Rep. Tony Cardenas
Committee on Energy and Commerce
2125 Rayburn House Office Building
Washington, D.C. 20515-6115

Re: Questions for the Record submitted subsequent to the September 7, 2017 hearing entitled “The Broadcast Incentive Auction: Update on Repacking Opportunities and Challenges”

Dear Rep. Cardenas,

Thank you for the opportunity to provide you with additional information regarding my testimony before the Subcommittee on Communications and Technology on Thursday, September 7, 2017 at the hearing entitled “The Broadcast Incentive Auction: Update on Repacking Opportunities and Challenges.”

Please find my responses to your additional questions for the record as follows:

- 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?

Local radio and television stations support our nation’s economy, providing much-needed jobs for communities. More than 2.42 million American jobs depend on broadcasting.^[1]

In California, approximately 307,990 jobs depend on local radio and television.^[2] These jobs span general administration, sales and marketing, traffic and news reporting, research, creative services like production and editing, community affairs and public relations, programming, engineering, and other

^[1] *Local Broadcasting: An Engine for Economic Growth*, Woods & Poole Economics, 2015.

^[2] *Id.*

broadcast operations. Radio and television directly employ hundreds of thousands of people, but are also part of a much larger ecosystem that supports extensive economic activity such as those industries which provide goods and services used in creating local television and radio broadcasting. Whether it is telecommunications, public utilities, manufacturing, transportation or retail, broadcasting is a vital part of America's communications infrastructure and a driving force in our economy.

As the repacking process moves forward, it is vital that there be minimal disruption to broadcasters for the benefit of not only the viewing public, but also so that broadcasting jobs may be preserved. In addition, ensuring that all broadcasters are reimbursed for their costs in relocating will help ensure the fiscal health of stations as employers.

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?

Low-power television stations face some very specific challenges in the repacking process that are distinct from full-power television stations. This stems in part from Congress's decision not to make low power television stations eligible for reimbursement for relocation costs, but there are other challenges including the availability of channels for displaced LPTV stations and TV Translators.

We appreciate this Committee's review of how best to ensure viewers continue to have access to these critical free sources of news, information, and entertainment, and for that reason, the National Association of Broadcasters supports H.R. 3347 The Viewer Protection Act which would provide additional funds for relocation costs incurred by low power television and translator stations.

b. Are they in more or less danger of going off the air in the upcoming repack?

Thousands of LPTV and translator stations will need to change channels as a result of the repack. Most of these stations may be able to find a new channel to operate on, if they can afford the significant un-reimbursable expense of modifying their facility to operate on a new channel. However some stations will be unable to find a new channel in the smaller, more congested broadcast band. This impact can only be made worse with the reservation of a channel for non-guaranteed unlicensed use.

The FCC should not exacerbate this problem by further reducing the number of available channels by reserving an additional channel for Microsoft. Unlicensed operation on vacant TV channels, or white spaces, has been authorized by the FCC since 2008. Yet there are only around 800 devices nationwide operating using this spectrum. The FCC has made and continues to make available significant amounts of spectrum for unlicensed and licensed use to provide wireless broadband. The 6 MHz channels used to provide TV service are not large enough, in most cases, to provide any meaningful broadband service. They are, however, invaluable for translator and low power stations which, unlike unlicensed and licensed wireless services, have nowhere else to go.

For this reason, it is vital that Congress and the FCC preserve the primary status of television stations in the TV band rather than allow Microsoft's demands for more free spectrum by shutting down television stations with no promise that the public will receive anything in return.

Sincerely,

Rick Kaplan
General Counsel
National Association of Broadcasters

cc: The Honorable Marsha Blackburn, Chairman, Subcommittee on Communications and Technology,
Committee on Energy and Commerce
The Honorable Michael F. Doyle, Ranking Member, Subcommittee on Communications and Technology,
Committee on Energy and Commerce