

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Resilient Networks)	PS Docket No. 21-346
)	
Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	PS Docket No. 15-80
)	
New Part 4 of the Commission’s Rules Concerning Disruptions to Communications)	ET Docket No. 04-35
)	

**COMMENTS OF THE
NATIONAL ASSOCIATION OF BROADCASTERS**

I. INTRODUCTION AND SUMMARY

The National Association of Broadcasters (“NAB”)¹ submits comments on the above-captioned Notice of Proposed Rulemaking proposing steps to improve the resiliency of communications networks during emergencies.² As Americans’ most trusted source for timely, detailed news and information about emergencies, television and radio broadcasters appreciate the opportunity to help inform the FCC’s record.

Given the Notice’s focus on the continuity of telecommunications services, it is important to highlight that broadcasting is likely the most reliable communications services during emergencies. The uniquely reliable nature of broadcast architecture allows broadcasters to continue service to the public during a disaster even when the electrical

¹ NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and broadcast networks before Congress, the Federal Communications Commission and other federal agencies, and the courts.

² *Resilient Networks; Amendments to Part 4 of the Commission’s Rules Concerning Disruptions to Communications; New Part 4 of the Commission’s Rules Concerning Disruptions to Communications*, Notice of Proposed Rulemaking, PS Docket Nos. 21-346 and 15-80; ET Docket No. 04-35, (Notice).

grid, cellular service, and the Internet is down.³ For example, radio broadcast transmission facilities are designed with redundant systems and backups, auxiliary transmission sites, emergency power, and more, all with the goal of keeping stations on the air in all circumstances. The large coverage areas of AM and FM radio stations and relatively small number of facilities (in particular, compared to cellular networks) further enhances radio's utility during emergencies as it is considerably more feasible to "harden" broadcast facilities than cellular network facilities. Thus, broadcasting can provide Americans with a lifeline to vital, often life-saving information before, during, and after emergencies, such as the path of severe weather, evacuation routes, and where to find food and shelter. Broadcasting's resiliency is an important reason why NAB and the radio industry are working to implement best practices designed to result in an automobile dashboard appearance that is useful and pleasing to listeners, and supports a more consistent user experience across the radio dial.⁴ It is also consistent with Congress's recent codification of broadcasters' status as "First Informers," which designates them as "essential service providers" that are entitled to access federal disaster sites to restore service.⁵

Below, NAB responds to the three major inquiries in the Notice. First, although many radio and television participate in the Disaster Information Reporting System (DIRS), mandating DIRS reporting would be unduly burdensome for some broadcasters. Many smaller stations simply lack the bandwidth to log in, assess their operational status, and

³ Danielle Venton, KQED, *When Your Power's Out, Internet's Off and There's No Cell Service, Radio Still Works* (Nov. 8, 2019), available at <https://www.kqed.org/science/1950762/when-your-powers-out-internets-off-and-theres-no-cell-service-radio-still-works>.

⁴ See <https://www.nab.org/innovation/autolnitiative.asp>.

⁵ Consolidated Appropriations Act, 2018, Pub. L. No. 115–141, §302, 132 Stat. 348 (2018); Robert T. Stafford Disaster Relief and Emergency Assistance Act, Pub L. No. 100-707, 42 U.S.C. § 5189e(a).

complete DIRS reports in the midst of an emergency. Mandating DIRS filings would force stations to redirect their already-strained staff away from trying to maintain or restore service to fill out a government form. Thus, requiring DIRS reporting could undermine the FCC's overriding goal of improving public safety by disrupting stations' efforts to provide the critical emergency information on which American's rely. NAB also suggests several procedural steps the FCC should consider to improve the efficiency of DIRS reporting. Second, NAB believes that including broadcasters within the Wireless Network Resiliency Cooperative Framework is inapposite and unnecessary. Formal arrangements are not needed to facilitate coordination among broadcasters or among broadcasters and other communications providers. Also, the Framework is largely focused on ensuring 911 service, and broadcasters already make sure to keep the public informed about the status of telephony services during disasters. Finally, NAB appreciates the FCC's exploration of communications resilience strategies for power outages. Stations plan and prepare for disasters, including steps for maintaining operations when commercial power fails. However, new rules requiring stations to install generators and maintain fuel reserves would be unreasonable, given that stations already strive to withstand power failures to the best of their ability and depending on their specific geographic circumstances. Instead, the FCC should consider ways to support broadcasters, such as facilitating the restoration of electricity and prioritization of fuel to stations, and promoting physical access by station personnel to their facilities during emergencies.

II. PARTICIPATION IN DIRS SHOULD REMAIN VOLUNTARY

The FCC created DIRS in 2007, in response to Hurricane Katrina. DIRS is a voluntarily online system through which the FCC collects operational status information from

broadcasters and other communications providers during major disasters.⁶ NAB is proud to assist the FCC in distributing notice that DIRS has been activated. The FCC states that DIRS allows it to collect and analyze data that enhances the FCC's and other government agencies' situational awareness of communications outages during disasters.⁷

The FCC observes that, although many large providers participate in DIRS, smaller providers often do not, which reduces the FCC's ability to analyze network reliability, particularly the status of 911 service, and causes uncertainty as to whether a provider has chosen not to file or could not due to a lack of Internet access or some other reason.⁸ The FCC also notes that participation in the Network Outage Reporting System (NORS), which tracks voice and other outages, is mandatory for telephone providers. The FCC states that certain distinctions between the information collected in DIRS and NORS cause an information gap that reduces its visibility into the status of 911 service.⁹ Thus, the FCC asks how it can increase voluntary participation in DIRS, or if it should consider making DIRS reporting mandatory.¹⁰

As an initial matter, we note that the FCC examined this same question when establishing DIRS in 2007.¹¹ The FCC found that the voluntary process used during Hurricane Katrina provided the necessary information on a timely basis, and that a mandatory process would be less adaptable to the unique circumstances of various crises.

⁶ See <https://www.fcc.gov/general/disaster-information-reporting-system-dirs-0>.

⁷ Notice at ¶ 6.

⁸ *Id.* at ¶ 27.

⁹ *Id.* at ¶ 28 and note 48.

¹⁰ *Id.* at ¶ 29.

¹¹ *Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks*, Order, EB Docket No. 06-119, 22 FCC Rcd 10541, 10547-49 (2007).

Therefore, it determined that retaining DIRS as a voluntary option is more effective. NAB submits that nothing has changed since 2007 to warrant a reversal of this approach.

The Notice is unmistakably focused on improving the FCC's awareness of 911 service during disasters. The FCC frames the entire inquiry in terms of "equip[ping] the Commission and its federal and local partners with actionable situational awareness information for identifying and resolving threats to 911 and other emergency service communications."¹² The Notice also highlights the effect of fewer DIRS filings by smaller providers on its awareness of 911 status during emergencies.¹³ However, reversing the long-standing voluntary nature of DIRS reporting for broadcasters will not address the FCC's concerns regarding 911 service because broadcasters do not provide telephone service. Indeed, broadcasting is not even mentioned in the sections of the Notice regarding DIRS. This alone should end any inquiry into whether participation in DIRS should be required of radio or television stations.

In addition, as the FCC concedes, requiring DIRS reporting would impose "additional burdens on service providers, particularly as DIRS reports are filed in the midst of disasters and other emergencies."¹⁴ DIRS is activated in limited emergency situations, when broadcasters' already-strained staff are trying to maintain or restore operations in the face of disaster. Mandating DIRS reporting would further tax these resources and disrupt stations' ability to provide Americans with important news and information about emergencies. NAB estimates that several thousand radio stations may have five or fewer employees, and understands that some of these stations choose not to participate in DIRS

¹² Notice at ¶ 27.

¹³ *Id.* at ¶ 28.

¹⁴ *Id.* at ¶ 29.

because they barely have the capacity to respond to an emergency, never mind log into DIRS and provide the required information.¹⁵ Moreover, disasters often lead to power outages and the loss of telephone and Internet access, making it difficult if not impossible for smaller stations without a corporate support infrastructure to file a DIRS report. Larger broadcasters are more likely to participate in DIRS because they have an engineer or chief of operations who is capable of assessing and reporting their stations' status.¹⁶ However, even for stations with larger staffs, it is quite likely that the person who is equipped to file a DIRS report is also responsible for leading the station's efforts to maintain operations.

NAB acknowledges the potential benefits of DIRS participation cited by the FCC, such as increasing the FCC's situational awareness during a disaster and the ability to share status information with government partners. Nevertheless, some DIRS participants have expressed uncertainty as to the value of DIRS reporting. For example, the Vice President of Station Operations for a large television group stated that filing in DIRS has never seemed to help accelerate the recovery of one of their facilities following a disaster, or help locate needed supplies like fuel, food, and water. The Chief Engineer for a television station in a hurricane-prone area expressed appreciation for the FCC's outreach to their state broadcasting association, but characterized DIRS reporting as a one-way road. And one radio broadcaster in the Southeast mentioned an email from the Department of Homeland Security during Hurricane Ida with instructions on how to seek assistance from their state

¹⁵ See *2017 Atlantic Hurricane Season Impact on Communications Report and Recommendations*, PS Docket No. 17-344, at ¶ 23 (Aug. 24, 2018) (noting that "in Puerto Rico and the USVI, many broadcasters were not even able to report their own inoperability" during Hurricane Irma).

¹⁶ For some of the largest broadcasters, mandatory DIRS reporting would not be objectionable because they have a centralized team, provided the FCC retains its current practice of allowing collective filings for multiple stations from a company's headquarters.

government to find fuel. However, that notice came in a broadly issued email that was not linked to DIRS nor targeted to DIRS filers that indicated a need for fuel. Thus, some broadcasters perceive that the burdens of DIRS reporting during times of crisis outweigh the more speculative, less apparent benefits,¹⁷ and may undermine the FCC's goal of improving public safety by disrupting their efforts to produce emergency news. For these reasons, NAB strongly supports retaining the existing voluntary nature of DIRS.

Finally, the mandatory nature of NORS is irrelevant to the DIRS filing requirements. The workforces of most radio and television stations pale in comparison to telephony providers that must file NORS reports, particularly technical staff. Unlike broadcasters, few telephony providers are local-only or lack a corporate support infrastructure than can handle their NORS filings. More than a decade ago, the FCC itself highlighted the “significant differences” between the purposes of DIRS and a mandatory outage reporting system.¹⁸ The FCC explained that “DIRS is a reporting system for use in disasters where it is important to have maximum flexibility in the types of information requested. DIRS is rarely activated, and the urgent events that lead to its activation tend to motivate communications providers to cooperate in providing the information that is needed to support the Federal response.”¹⁹ In

¹⁷ A recent report by the Government Accountability Office (GAO) highlighted several actions the FCC took during Hurricane Maria, including activating DIRS, monitoring the status of key broadcasters in affected areas, and making Universal Service Funds available to help telecommunications carriers restore service. However, the report did not note any specific actions that directly helped broadcast stations in Puerto Rico or USVI, and found that the FCC's role in responding to disasters is not clearly defined in the Department of Homeland Security's National Response Framework. GAO, *FCC Assisted in Hurricane Maria Restoration, but a Clarified Role and Enhanced Communications are Needed* at 15-18 (2021), <https://www.gao.gov/assets/gao-21-297.pdf>.

¹⁸ [Extending Outage Reporting to Interconnected Voice over Internet Protocol Service Providers and Broadband Internet Service Providers, Notice of Proposed Rulemaking, 26 FCC Rcd 7166 \(2011\)](#).

¹⁹ *Id.* at 7190.

contrast, the FCC determined that mandatory outage reporting was necessary for VOIP and ISP providers because of the importance of the reliability and resiliency of broadband communications for the nation's 911 system and overall emergency response.²⁰ Thus, the FCC determined that DIRS mandatory reporting was unnecessary.

Alternatively, if the FCC still believes that DIRS should be mandatory, perhaps the onus should be on government to create and fund an automated system that identifies which broadcast stations are operating during a disaster. For example, the FCC could consider expanding its "Roll Call" program, which uses specialized spectrum observation equipment to determine examine the radio spectrum and identify disaster-related communications outages.²¹ This program identifies outages by studying the radio frequency spectrum "Pre-disaster" and "Post-disaster" and comparing those results to each other and to licensee databases to determine which critical infrastructure systems are down. This capability can also be used to identify broadcast stations that may have been affected in the "Post-Disaster" area. FEMA could use the data from Roll Call to perform a damage assessment and prioritize the resources needed to restore communications.

Apart from the question whether DIRS reporting should be mandatory, NAB has collected a few suggestions from broadcasters for ways to improve the system:

- Create a DIRS app to allow filers to access the system through mobile devices;
- Enhance the confidentiality of DIRS data. The daily communications status reports issued by the FCC during a disaster list the operational status of radio and television stations reporting their status by individual call letters.²² Contrast this to the descriptions of other communications services in these reports, which indicate operational status not by company name, but rather by the number of inoperable cell sites in a county or the number of cable and wireline subscribers

²⁰ *Id.*

²¹ See <https://www.fcc.gov/over-air-spectrum-observation-capabilities>.

²² See, e.g., *Communications Status Report for Areas Impacted by Hurricane Ida* at 9 (Sep. 1, 2021), available at <https://www.fcc.gov/document/hurricane-ida-communications-status-report-september-1-2021>.

- without service. An individual broadcast station's operational status during an emergency could be considered competitive information. The FCC should consider publishing broadcast-related DIRS data in an anonymous manner that still provides the necessary information, such as "10% of reporting FM radio stations in Springfield County reported being out of service." Alternatively, DIRS should allow filers to opt out of public disclosure of their DIRS information;
- DIRS should automatically populate a company's stations in the affected areas into a grid that would allow a filer to provide the requested data about individual stations through a simple box-checking process;
 - The ability to edit or update records should be improved. For example, the current system does not allow a filer to delete a record if the wrong frequency is mistakenly entered; and/or
 - Additional causes for service disruptions should be added to the current fuel/generator that is listed, such as floods or a tower downed by wind.

NAB looks forward to working with the FCC to implement these proposals.

III. EXPANDING THE WIRELESS FRAMEWORK TO INCLUDE BROADCASTERS IS INAPPOSITE AND UNNECESSARY

The FCC seeks comment on expanding the Wireless Network Resiliency Cooperative Framework (Framework) to include broadcasters,²³ and whether the FCC should revisit the voluntary nature of participation in the Framework.²⁴ NAB agrees that the framework is a reasonable approach to promoting the availability of wireless services during times of crisis and increasing transparency around wireless resiliency.²⁵ The FCC correctly aims to improve the Framework's effectiveness by expanding opportunities to activate the Framework or the scope of participants.²⁶

However, including broadcasters within the Framework is inapposite and unnecessary. First, the Framework is focused on the resiliency of wireless services during emergencies, such as arrangements for roaming and the restoration of wireless service, none of which broadcasters provide. Moreover, wireless and broadcast services use

²³ Notice at ¶ 16.

²⁴ *Id.* at 14.

²⁵ *Improving the Resiliency of Mobile Wireless Communications Networks*, PS Docket Nos. 13-239 and 11-60, 31 FCC Rcd 13745, 13746 (2016).

²⁶ Notice at ¶ 16.

different networks and technology, serve different purposes, and viewed completely differently by Americans.

The FCC notes that the framework commits participants to foster mutual aid during disasters, and asks whether any benefits would result if broadcasters and other communications providers agreed to participate.²⁷ The FCC also seeks comment on how wireless providers can make sure that consumer information about emergency planning and resources is available to all Americans.²⁸ Formal arrangements are not required in this context, and NAB would strongly object to any mandatory procedures. As discussed above regarding DIRS, many broadcasters are frequently overwhelmed during times of crisis. Forcing stations to redirect their limited resources away from efforts to maintain operations to file more reports with the FCC or coordinate with wireless carriers would be an inefficient use of their time. Voluntary measures may be more workable and consistent with broadcasters' existing practices, given that broadcasters already cooperate during emergencies, sharing equipment and other resources.²⁹ Radio and TV stations would be pleased to engage in similar opportunities with other communications providers on a voluntary, ad hoc basis depending on their needs and resources.

In addition, radio and television stations already make sure to keep the public informed about the status of telephone service as part of their news coverage of emergencies.³⁰ Broadcasters also routinely publicize consumer information about how to

²⁷ *Id.* at ¶ 19.

²⁸ *Id.* at ¶ 22.

²⁹ Comments of the National Association of Broadcasters, EB Docket No. 04-296 at 5-8 (May 28, 2014).

³⁰ See, e.g., *Did You Have a Cell Signal After Hurricane Ida?*, 4WWL (New Orleans, LA) (Sep. 5, 2021), available at <https://www.wwtv.com/article/weather/hurricane/did-you-have-a-cell-signal-after-ida/289-49bc574b-47f1-48bf-862a-7ccf07ff5781>; *The Investigators:*

prepare for communications outages and would have no objections to airing public service announcements created by the wireless industry.³¹ Again, however, no mandatory or formalized arrangements are needed to effectuate this kind of coordination.

Communications providers of all stripes are perfectly capable of cooperating on such efforts without government intervention. In fact, federal rules may impede continuity efforts by limiting providers' flexibility to respond nimbly to an emergency.

IV. BROADCASTERS ALREADY STRIVE TO ENSURE CONTINUITY OF SERVICE TO THE BEST OF THEIR ABILITY IN THE ABSENCE OF FEDERAL REQUIREMENTS

The FCC states that a lack of power is the biggest reason that communications networks fail in the aftermath of a disaster.³² Without power, emergency management officials cannot communicate emergency warnings and other important messages to the public or coordinate among themselves. The FCC also notes that the number of power failures that have impacted communications has increased in recent years.³³ Although the Notice focuses largely on cell site outages, broadcasters' experiences are consistent. Radio and television stations have also observed a trend toward more frequent, prolonged power failures and redoubled efforts to prepare in response.³⁴ For example, power failures caused

Phone Issues Persist Following Hurricane Ida, WAFB9 (Baton Rouge, LA) (Sep. 2, 2021), available at <https://www.wafb.com/2021/09/02/investigators-phone-issues-persist-following-hurricane-ida/>.

³¹ See e.g., *If a Hurricane Hits, Can You Count on Your Cell Phone*, KHOU-11 (Houston, TX) (June 1, 2017), available at <https://www.khou.com/article/weather/hurricane-central/if-a-hurricane-hits-can-you-count-on-your-cell-phone/444953789> (describing tips for consumer use of cell phones in advance of a disaster).

³² Notice at ¶ 34.

³³ *Id.*

³⁴ See, e.g., *Garrett Hering, US Power Outages Jumped 73% Amid Extreme Weather Events*, S&P Global (Jan. 19, 2021), available at <https://www.spglobal.com/marketintelligence/en/news-insights/latest-news-headlines/us-power-outages-jumped-73-in-2020-amid-extreme-weather-events-62181994>; *Jessica Villagomez, Local TV, Radio Stations Still Off-air as Willis Tower Electrical Substation Dries Out*, Chicago Tribune (May 21, 2020) (flooding shuts down electricity to tower), available at <https://www.chicagotribune.com/weather/ct->

by Hurricane Maria delayed the restoration of some radio and television stations in Puerto Rico for months.³⁵ NAB thus appreciates the FCC’s exploration of communications resilience strategies for power outages.³⁶ In particular, we support the Notice’s general bent toward considering ways to improve coordination among stakeholders and surveying the existing efforts of providers to maintain service, instead of proposing a litany of new mandates.³⁷

As noted above, broadcasters take their role as First Informers seriously. Local broadcasters are woven into the fabric of their local communities and are committed to keeping their neighbors informed and safe during emergencies. Broadcasters, especially those in areas prone to severe weather conditions, plan and prepare throughout the year for disasters. They create, review, and practice their disaster response plans under various scenarios, enabling them to efficiently trigger such plans when disaster strikes. Stations also arrange to share equipment and programming with other stations, even competitors, on a voluntary, ad hoc basis if the need arises. They also forge relationships with local emergency managers to facilitate communication during disasters. In addition, television and radio stations complement their on-air coverage of emergencies with information on their websites and social media. Combined with the reliable, decentralized nature of broadcast

[chicago-weather-willis-tower-tv-radio-outages-20200520-wvfjbipllnemvnpnowa3uoqunbi-story.html](http://www.insideradio.com/free/midwest-storms-knock-michigan-radio-wuom-off-air/article_318cf5dc-fb86-11eb-85de-d32b7f64fd1f.html); *Midwest Storms Knock ‘Michigan Radio’ WUOM Off Air*, Inside Radio (Aug. 12, 2021), available at http://www.insideradio.com/free/midwest-storms-knock-michigan-radio-wuom-off-air/article_318cf5dc-fb86-11eb-85de-d32b7f64fd1f.html.

³⁵ Irina Zhorov, *Puerto Rico Crawls Toward Full Re-electrification*, WHY (June 14, 2018), available at <https://why.org/segments/puerto-rico-crawls-toward-full-re-electrification/>.

³⁶ Notice at ¶ 36.

³⁷ *Id.* Although specific rules are not proposed in the Notice and broadcasting is not mentioned in the section addressing power outages, the Initial Regulatory Flexibility Analysis states: “To the extent the Commission were to adopt backup power requirements, any Public Safety Answering Points (PSAPs) or providers subject to them, potentially including . . . TV and radio broadcasters . . . could potentially be required to take steps to make their networks more resilient to power outages” *Id.* at Appendix ¶ 46.

infrastructure, these measures allow stations to serve their communities even when cell phone and wireless networks became unreliable. Relevant to the Notice, broadcasters also take steps to prepare for extended power outages. NAB has collected information from some broadcasters in response to the FCC's questions regarding communications providers' coordination with power companies, backup power advance preparations, and other factors that may affect providers' plans for maintaining operations in the event of a power failure.³⁸

Broadcasters first make clear that any efforts in this context depend on a station's financial resources and likelihood of experiencing a prolonged power failure. We understand that most stations in hurricane-prone areas invest in back-up generators and maintain fuel reserves, and that such reserves allow a station to run from two days to five days before refueling is needed. Stations in more rural areas tend to have higher reserves. Many stations execute contracts with power companies to pre-arrange refueling during disasters, or have found that the time provided by their fuel reserves is sufficient to arrange for refueling during a disaster. On the other hand, some stations have never experienced an extended power outage and see less need for auxiliary power. The overall lesson is that stations have every incentive to stay on the air during an emergency and weigh all the relevant factors when deciding whether to install a generator and how much backup fuel to store.

Access is another important consideration. Sometimes, despite a station's advanced planning to pre-arrange for fuel deliveries, suppliers are unable to access a station's facilities due to downed trees or topographic issues like snow-bound roads.

³⁸ *Id.* at ¶¶ 37-39.

Thus, certain opportunities exist for the FCC to be helpful. First, the FCC should work with its government partners to prioritize the restoration of electricity to broadcasters, or alternatively, the delivery of fuel for generators. After local public safety and medical service providers, service to communications providers should be considered among the most critical functions as an electrical grid is repaired. The FCC could convene stakeholders, including power companies, to emphasize the importance of prioritizing assistance to radio and television stations. For example, the Department of Homeland Security Cybersecurity & Infrastructure Security Agency (CISA) often issues letters during disasters that encourage suppliers to prioritize fuel allocations to communications providers, however, supplier response is voluntary. The FCC should consider ways to reenforce CISA's efforts to support communications providers' efforts to obtain fuel during times of crisis.

The FCC should also consider ways to foster access by broadcasters to their studios and transmitters during times of crisis in a safe manner that does not impede emergency public safety and medical services. Again, DHS issues letters to encourage local police and public safety to permit communications providers to access their facilities during times of crisis. The CISA guidance lists broadcast personnel among workers who provide "essential critical services."³⁹ The letters are intended to promote the ability of such workers to continue to work during periods of community restrictions, social distancing, and/or emergency directives issued by state and local agencies and officials. Again, however, such letters are issued as a courtesy and broadcast personnel are sometimes delayed or refused access to their facilities by local law enforcement that are unfamiliar with the CISA guidance.

³⁹ *Essential Critical Infrastructure Workforce Guidance Version 4.1*, DHS CISA at 19 (Aug. 10, 2021), available at https://www.cisa.gov/sites/default/files/publications/essential_critical_infrastructure_workforce-guidance_v4.1_508.pdf.

The FCC could provide valuable assistance by helping to educate local emergency managers and law enforcement about the importance of permitting broadcasters to repair their facilities following a disaster.

Additional mandates regarding backup fuel are unnecessary. Broadcasters already install generators and maintain fuel reserves to the best of their ability, depending on their financial resources, geography, and needs and interests of their community. Imposing any backup fuel requirements would only burden broadcasters that have already weighed the costs and benefits and determined their needs. Radio and television stations already have every incentive to stay on the air during times of crisis and no amount of government intervention will change this calculation.

Moreover, NAB respectfully submits that a lack of evidence of a problem further undercuts the needs for more rules. Specifically, even during a major disaster that knocks some radio and television stations off the air, most continue operations. For example, the FCC's communications status report dated August 30, 2021, shows that during the immediate aftermath of Hurricane Ida, only two out of 17 television stations reported being out of service, and only five out of 30 radio stations reported being out of service. Compare this to the more than 52% of cell sites in Louisiana that lost service.⁴⁰ Not only does this demonstrate that broadcast stations are far more likely to remain operational than other communications providers during a disaster, but that the broadcasting industry's decentralized, diffuse system provides redundant sources of service. In other words, if a few radio or television stations are knocked off the air by severe weather, there will almost always be dozens of other stations still up and running that the public can turn to for

⁴⁰ *Communications Status Report for Areas Impacted by Hurricane Ida*, FCC (Aug. 30, 2021), available at <https://www.fcc.gov/Ida>.

emergency warnings and information. Accordingly, although broadcasters appreciate any support the FCC can provide during emergencies, NAB sees no reason for additional requirements to install generators or maintain fuel reserves.

V. CONCLUSION

For the reasons stated above, NAB respectfully submits that broadcaster participation in DIRS should remain voluntary, expanding the Wireless Framework to include radio and television stations is unnecessary, and no additional rules regarding fuel backup during times of crisis are justified. Broadcasters already participate in DIRS to the best of their ability and depending on their individual circumstances, have no objections to further voluntary coordination with other telecommunications providers during emergencies, and already install generators and maintain fuel reserves commensurate with their financial resources and likelihood of experiencing a prolonged power failure.

Respectfully submitted,



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