

July 7, 2011

The Honorable John Boehner
Speaker of the House
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Nancy Pelosi
Minority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Speaker Boehner and Leader Pelosi:

As Congress considers legislation to raise the debt ceiling, broadcasters understand that granting the Federal Communications Commission (FCC) authority to conduct auctions of broadcast spectrum may be considered as a revenue-raising opportunity to be incorporated in that legislation. Broadcasters are not opposed to granting the FCC voluntary incentive auction authority, so long as the authorizing legislation includes specific safeguards to ensure that broadcasters remaining in the business (and the public they serve) are held harmless in any auction and repacking process, the latter being involuntary and likely to affect hundreds of television stations across the country. We continue to pursue a constructive dialog with both the House and Senate on auctions of broadcast spectrum and repacking.

To that end, we write today to list four essential safeguards that should be codified in any broadcast spectrum auction legislation. They are necessary to preserve the ability of your constituents to continue to receive robust, free over-the-air television signals:

First, any grant of broadcast spectrum auction authority to the FCC should be accompanied by legislative provisions that ensure that viewers are able to maintain access to their over-the-air signals by requiring the FCC to replicate existing station service areas and current interference protections in connection with band repacking. These key protections will ensure that both viewers and cable and satellite system head-ends that rely on over-the-air delivery do not lose access to local broadcast stations. Band repacking will entail changes in stations' television channels, transmitter locations, and/or the power and height of their transmission facilities -- all of which will affect service areas, some drastically, not only for those stations that are required to repack, but also for other stations that would be adversely affected by other stations being repacked.

Second, broadcast spectrum auctions and subsequent forced repacking should not preclude broadcasters from innovating and offering new and unique services on their spectrum. Repacking that involuntarily moves stations to inferior spectrum bands (specifically, the VHF band and most especially the low VHF band) can preclude new digital services, as well as causing loss of existing service for consumers.

Third, coming on the heels of the recent digital transition, the combination of spectrum auctions and forced repacking will similarly cause disruption to the public's viewing of broadcast stations. Also, broadcasting, like any other business, must have a degree of economic and regulatory stability to attract investment capital, purchase equipment, hire workers, create local jobs and implement innovative new technologies and services. Repeated broadcast spectrum reallocations and forced changes in broadcaster facilities or even proposals of this sort undercut this needed stability. Accordingly, the legislation should permit the FCC to conduct only one incentive auction of broadcast spectrum.

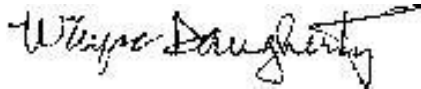
Finally, just two years ago, every television station around the country switched to digital broadcasting, and made significant investments in channel and site moves and new equipment to the tune of \$15 billion. If the government is going to rearrange the television bands yet again, much of those investments would be rendered obsolete. Any spectrum legislation should provide for reimbursement to broadcasters for the costs they will be forced to incur, whether they are stations that are required to move or change facilities or stations that are adversely affected by those changes.

It is important that Congress protect the interests of television viewers and local broadcast stations. Broadcasters have always been dedicated to serving the public interest through their commitment to localism and their high-caliber news and public information programming. And the public relies on and benefits from these services. We look forward to working with you to ensure that broadcasters are able to continue to fulfill that responsibility and that the public can continue to enjoy the benefits of those services.

Sincerely,



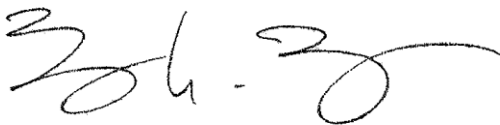
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