

June 13, 2011



TV TechCheck



The Weekly NAB Newsletter for Television Broadcast Engineers

FCC Seeks Comment on Implementing the CALM Act

On May 27, the FCC released a Notice of Proposed Rulemaking (NPRM) seeking comments on the how it should implement requirements set forth in the Commercial Advertisement Loudness Mitigation (CALM) Act. The CALM Act was signed into law on December 15, 2010 giving the FCC the authority to create rules intended to mitigate variations in volume level (loudness) between programs and commercials.

Specifically the CALM Act requires that within 1 year after the date of enactment (i.e. December 15, 2011) the FCC must adopt rules incorporating by reference and making mandatory ATSC recommended practice A/85 (and any of its successor standards). The Act also requires that the rules adopted by the FCC take effect one year after they are adopted or December 2012.

A/85 is titled *Recommended Practice: Techniques for Establishing and Maintaining Audio Loudness for Digital Television*, and its most recent version was approved by the ATSC in May 25, 2011. This Recommended Practice provides guidance to broadcasters and creators of audio for ATSC high-definition (HD) or standard-definition (SD) television content and recommends production, distribution and transmission practices needed to provide the highest quality audio soundtracks to the digital television audience. It focuses on audio measurement, production and postproduction monitoring techniques, and methods to effectively control loudness for content delivery or exchange. It recommends methods to effectively control program-to-interstitial loudness including the use of the Dialog Normalization (dialnorm) metadata parameter to transparently set different content to a uniform loudness.

The CALM Act limits the FCC to focusing on those parts of the recommended practice that concern the transmission of commercial advertisements by a television broadcast station, cable operator or other multichannel video programming distributor. Finally, the Act states that any broadcast television operator, cable operator or other multichannel video programming distributor that installs, utilizes and maintains in a commercially reasonable manner the equipment and associated software in compliance with the regulations issued by the FCC shall be deemed to be in compliance with such regulations.

Among other things, the NPRM seeks comment on:

- whether and how to identify the portions of the ATSC A/85 RP “concerning the transmission of commercial advertisements.”
- a tentative conclusion that the CALM Act defines the scope and application of the new technical loudness standard as mandatory for *all* stations/MVPDs and not only those using AC-3 audio systems.
- what “commercially reasonable” means in the context of industry practice.
- with respect to the definition of “install”, what measures the FCC should require stations/MVPDs to take to ensure that they have installed the correct equipment to enable them to take advantage of the provisions in the CALM Act.
- with respect to the definition of “utilize”, a proposal to interpret this term to mean that mechanisms must be in place to properly measure the loudness of content and ensure that dialnorm metadata is encoded correctly before transmitting the content to the consumer.
- with respect to the definition of “maintain”, an interpretation that maintenance in a “commercially reasonable manner” requires a station/MVPD to routinely perform quality control tests, such as spot checks to ensure that their

equipment is properly detecting inappropriate loudness and to take swift corrective action to the extent problems are detected.

The NPRM also seeks comments on alternative methods that stations could use to demonstrate compliance with the new rules, how the waiver process should work, how consumers can file complaints and what enforcement actions the FCC should take when they find there has been a violation.

The Docket number for this NPRM is MB 11-93. Comments are due to the FCC on July 5, 2011 and reply comments are due July 18. The NPRM is available on the [FCC website](#).

A/85 is available on the ATSC Web page [here](#).

EAS-CAP On-line Town Hall

WHAT: Analyzing the EAS NPRM: A Town Hall Discussion

WHEN: Thursday, June 16, 2011 – 4 - 5 p.m. EST

WHERE: www.EASAlert.org

The National Alliance of State Broadcasters Associations (NASBA)-National Association of Broadcasters (NAB) Emergency Alert System (EAS) Committee is pleased to announce the third in a series of webinars on the implementation of the Common Alerting Protocol (CAP).

“Analyzing the EAS NPRM: A Town Hall Discussion” will be presented on Thursday, June 16 at 4 p.m. EST. The one-hour session will feature a summary of the major components of the FCC’s EAS Further Notice of Proposed Rulemaking (NPRM), as well as provide an opportunity for participants to ask questions. Information about the upcoming Town Hall will be available soon [here](#). *The NASBA-NAB EAS Committee is coordinating webinars and the [Web site](#) to provide resources for broadcasters and our EAS partners in implementing CAP by the September 30, 2011 deadline.*

To participate in this webinar, go to www.EASAlert.org a few minutes before the presentation is scheduled to air. Once on the [Web site](#), click “Go To the Town Hall,” where you will be prompted for your name, affiliation and email address. This information will be collected to keep you informed about future events in this series and will not be sold or shared with outside parties.

If you are unable to participate in the live town hall on June 16, it will be archived at www.EASAlert.org within 72 hours of the presentation.

FCC to Conduct Training for Consultants on Communications Towers and Environmental/Historic Preservation Compliance

The Federal Communications Commission (FCC) is conducting a [session](#) for consultants on Tuesday, June 21, 2011 at their headquarters in Washington, DC on Communications Towers and Environmental/Historic Preservation Compliance. Training will be provided by staff from the FCC, USDA Rural Utilities Service, NTIA, FEMA and the Advisory Council on Historic Preservation.

For additional information contact [Steve DelSordo](#) and to register contact [James Swartz](#) who are both at the FCC. To attend the session you must preregister.



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