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# TV TechCheck



The Weekly NAB Newsletter for Television Broadcast Engineers

## NAB Files Comments in FCC's EAS-CAP Proceeding



On July 20, 2011, NAB filed comments in the FCC's current EAS proceeding. This *Third Further Notice of Proposed Rulemaking* in EB Docket No. 04-296 was released on May 26, 2011 and posed a number of questions and tentative conclusions about how the Commission should update Part 11 of the rules to incorporate the introduction of the Common Alerting Protocol (CAP). (See *TV TechCheck* from June 6, 2011.)

In our comments, NAB supported the FCC's transitional approach in which the existing SAME-based EAS is retained for the foreseeable future while a next generation CAP-based EAS is implemented as a parallel mechanism. We urged the Commission to adopt flexible Part 11 rules. For example, the rules should not be over prescriptive by specifying a particular technology for EAS monitoring (such as RSS feeds) but rather, the rules must accommodate continuing technological advances in EAS monitoring methods.

In addition, we stated that the Commission should not require the current CAP-capable gear to undergo an FCC equipment certification process but requested that the Commission rely on the EAS equipment conformance testing process already established by the Federal Emergency Management Agency (FEMA), and take into account the fact that CAP-compliant equipment has been available on the market for approximately two years. Many broadcast EAS participants have already purchased and installed this equipment. NAB stated that any changes to the Part 11 rules should not cause this equipment in the field now to be deemed non-compliant.

With regard to state-level EAS messages, NAB reiterated our concern with the delegation of mandatory EAS activations below the gubernatorial level. We continue to believe that only the governor or his/her single designee, as specified in a Commission-approved State EAS Plan, should be permitted to issue an EAS alert. Granting the power to issue an EAS alert to multiple state officials could lead to unnecessary alerts, public confusion and possibly public desensitization if multiple alerts are triggered for the same event.

Finally, NAB requested that the current September 30, 2011 deadline for when EAS Participants must be able to accept CAP-formatted EAS messages be extended to 180 days following the effective date of the rules adopted in this proceeding. The current deadline will not allow broadcasters sufficient time to consider the rules ultimately adopted in this proceeding in their decisions to identify and purchase EAS equipment that best suits their particular needs. There is also the continuing uncertainty as to whether the Commission will implement its own equipment certification program, separate from FEMA's conformance testing, or whether the Commission may revise any Part 11 rules in a way that requires manufacturers to alter their design specifications, or perhaps even require EAS participants already in possession of installed EAS equipment to refurbish their equipment in some way.

NAB comments and the comments of other parties are available on the [FCC's Electronic Comment Filing System](#) and you may find them by searching for docket No. 04-296. Reply Comments in this proceeding are due August 4.

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