

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Accessible Emergency Information, and)	MB Docket No. 12-107
Apparatus Requirements for Emergency)	
Information and Video Description:)	
Implementation of the Twenty-First)	MB Docket No. 11-43
Century Communications and Video)	
Accessibility Act of 2010)	

**REPLY COMMENTS OF THE
NATIONAL ASSOCIATION OF BROADCASTERS**

The National Association of Broadcasters (NAB)¹ submits these reply comments regarding NAB’s Petition for Temporary Partial Exemption and Limited Waiver (Petition) of Section 79.2(b)(2)(ii)² of the Commission’s rules. NAB has tailored the Petition and the waivers requested to be as narrow and brief as possible, and the record unanimously supports the Petition’s three requests. Broadcasters are committed to complying with the rules as soon as feasible. NAB is also committed to working with the blind and visually-impaired community to resolve potential problems regarding audible crawls and school closings. All commenters, and NAB, urge the FCC to grant the Petition expeditiously.

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

² 47 C.F.R. § 79.2(b)(2)(ii) (audible crawl rule).

I. THE RECORD UNANIMOUSLY SUPPORTS NAB'S PETITION

A diverse group of broadcast stations, state broadcast associations, engineers, and an equipment vendor all agree on the need for a six-month delay for technical reasons.³

Commenters also are unanimous as to the technological impossibility of aurally describing graphics and maps, at this time. They further agree that the requirement to include school closings in the audible crawl risks crowding out other emergency information or visual description on the secondary audio service, and should be reexamined.

II. THE LACK OF OPPOSITION SHOWS THE NEED FOR AND THE REASONABLENESS OF THE PETITION'S REQUESTS

Prior to filing its request, NAB reached out to members of the blind and visually-impaired community to discuss broadcasters' need for the relief requested in the Petition. NAB made clear broadcasters' intent to comply with the rules as soon as possible, and our Petition asks for the minimum relief necessary to allow for compliance with the audible crawl rules.

The record fully supports the relief requested in the Petition. As explained in comments, broadcasters rely upon third-party vendors for the software and hardware to produce Emergency Alert System and other crawls.⁴ The record shows that vendors are just now rolling out products for this purpose, and many broadcasters had their first opportunity to

³ As discussed in the Named State Broadcasters Association comments, a six-month extension results in a revised deadline of November 26, 2015, which is Thanksgiving. See Comments of the Named State Broadcasters Association, MB Docket No. 12-107, n.5 (Apr. 13, 2015) (State Broadcaster Comments). NAB agrees that the FCC should consider extending the deadline until the following Monday, November 30 to avoid conflicting with a holiday when many stations will be short-staffed.

⁴ See Comments of Ball State University at 1, MB Docket No. 12-107, at 1 (Apr. 14, 2015); State Broadcaster Comments at 3.

evaluate these new products at the recently concluded NAB Show in Las Vegas.⁵ Unfortunately, with the deadline fast approaching and few vendor solutions available on the market, broadcasters will be unable to evaluate, purchase, install, and test the vendor systems prior to the May 26, 2015 deadline.⁶ NAB and broadcasters have carefully considered how quickly stations would be able to comply, and NAB requested the minimum extension of time necessary. All commenters, including Monroe Electronics, the one Emergency Alert System vendor that commented in this proceeding, agree that a six-month delay “would seem to be reasonable and justifiable given the need . . . to adequately test, integrate, and implement these technologies in their respective plants.”⁷

Second, the record supports a waiver of the requirement to include aural descriptions of visual, non-textual information (specifically maps and graphics).⁸ As the Society of Broadcast Engineers explained, radar maps and similar moving graphics lack text files that can be converted to speech, “so the ability to comply with the requirement does not exist now.”⁹ While much of the emergency information contained in maps and graphics is included in the text of crawls, at this time it is technically infeasible to describe the entirety of a map or

⁵ See, e.g., State Broadcaster Comments at 3-4; Comments of Entravision Communications Corp., MB Docket No. 12-107, at 2 (Apr. 13, 2015) (Entravision Comments); Comments of Cox Media Group, MB Docket No. 12-107 at 2 (Apr. 13, 2015) (Cox Comments).

⁶ Comments of Meredith Corp. *et al.*, MB Docket No. 12-107, at 1 (Apr. 13, 2015) (Meredith Comments); Comments of the Broadcaster Coalition, MB Docket No. 12-107, at 2-3 (Apr. 13, 2015) (Broadcaster Coalition Comments); Comments of the Society of Broadcast Engineers, Inc., MB Docket No. 12-107, at 2-3 (Apr. 13, 2015) (Broadcast Engineer Comments).

⁷ Comments of Monroe Electronics, Inc., MB Docket No. 12-107 at 1 (Apr. 12, 2015).

⁸ Broadcast Engineer Comments at 4; Cox Comments at 3.

⁹ Broadcast Engineer Comments at 2; see also Meredith Comments at 2; Broadcaster Coalition Comments at 5.

graphic.¹⁰ If a technological solution is developed in the future, broadcasters intend to quickly implement it.¹¹ Until that time, a waiver is necessary.

Finally, all commenters who discuss the school closings issue support a temporary waiver of the requirement to include school closing information on the secondary audio stream. Commenters explained that including audible transcription of school closings is problematic because the very large number of schools that report closings will crowd out more important emergency information.¹² Current technology does not allow for prioritization of content from different crawls, and breaking to the school-closing crawl will cause it to start again from the beginning. More importantly, many schools already inform parents of closings via text, telephone, or email, and other viewers may be uninterested in school closing.¹³ For all these reasons, the record supports a waiver of the school closings requirement, while NAB and broadcasters work with the blind and visually-impaired community to address these problems.

III. CONCLUSION

Broadcasters are diligently working to comply with the audible crawl deadline, but require relief due to technology limitations. NAB is committed to working with the blind and visually-impaired community to get this right. The record shows that NAB's limited request for relief is necessary and reasonable given the current technological environment.

¹⁰ State Broadcasters Comments at 4, 5; Broadcaster Coalition Comments at 5.

¹¹ State Broadcasters Comments at 5.

¹² See State Broadcasters Comments at 2, 6; Broadcaster Coalition Comments at 5; Meredith Comments at 2; Gray Comments at 2; Cox Comments at 4; Entravision Comments at 2.

¹³ State Broadcasters Comments at 7; Broadcaster Coalition at 5.

Respectfully submitted,

**NATIONAL ASSOCIATION OF
BROADCASTERS**

1771 N Street, NW
Washington, DC 20036
(202) 429-5430

A handwritten signature in black ink, appearing to read "Rick Kaplan", with a long horizontal line extending to the right from the end of the signature.

Rick Kaplan
Jerianne Timmerman
Ann West Bobeck
Justin L. Faulb

Kelly Williams
NAB Technology

April 20, 2015

Your submission has been accepted

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12-107	MEDIA BUREAU AND CONSUMER AND GOVERNMENTAL AFFAIRS BUREAU SEEK COMMENT ON SECOND VPAAC REPORT: VIDEO DESCRIPTION AND ACCESS TO EMERGENCY INFORMATION

Contact Info

Name of Filer: National Association of Broadcasters
Email Address: jfaulb@nab.org
Attorney/Author Name: Justin Faulb

Address

Address For: Filer
Address Line 1: 1771 N Street NW
City: Washington
State: DISTRICT OF COLUMBIA
Zip: 20036

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