

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

In the Matter of)	
)	
Travelers' Information Stations;)	PS Docket No. 09-19
)	
American Association of Information Radio Operators Petition for Ruling on Travelers' Information Station Rules;)	
)	
Highway Information Services, Inc. Petition for Rulemaking;)	RM-11514
)	
American Association of State Highway and Transportation Officials Petition for Rulemaking)	RM-11531

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

The National Association of Broadcasters (“NAB”)¹ respectfully submits these brief reply comments on the above-captioned Report and Order and Further Notice of Proposed Rulemaking.² The Notice seeks comment on removing Section 90.242(b)(8) of the rules, which requires the filtering of Travelers’ Information Station’s (“TIS”) audio frequencies above 3 kHz.³ NAB agrees with the Society of Broadcast Engineers (“SBE”) that the TIS filter requirement should be retained. We also offer an alternative

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

² Travelers Information Stations; American Association of Information Radio Operators Petition for Ruling on Travelers’ Information Station Rules; Highway Information Services, Inc. Petition for Rulemaking; RM-11514; American Association of State Highway and Transportation Officials Petition for Rulemaking; RM-11531, *Report and Order and Further Notice of Proposed Rulemaking*, PS Docket No. 09-19 (*rel.* July 23, 2013) (“Order” or “Notice”).

³ 47 C.F.R. § 90.242(b)(8).

compromise proposal to permit TIS operators to use a wider filter, which should enable a higher quality TIS signal without impeding AM radio services.

The Commission authorized TIS operations in 1977 as a means to communicate certain kinds of information to travelers over low power radio transmitters licensed to local governments.⁴ In authorizing this service, the Commission recognized that it might present a risk of interference to AM radio stations, and took steps to protect the valuable, locally-oriented programming provided by AM stations. Specifically, TIS operations are licensed on a secondary basis, and are required to resolve interference caused to any AM radio service in an expedited manner, including ceasing operations if necessary. 47 C.F.R. § 90.242. The rules mandate strict limits on the power levels and field strength of TIS operations and on the antenna height and polarization of TIS transmitters. *Id.* TIS operators also must certify that a TIS transmitter is located at least 130 km outside the daytime contour of any AM station on the same channel, and at least 15 km outside the same contour of any AM station on a first adjacent channel. *Id.*

Finally, the Commission's rules require that TIS stations be equipped with an audio low-pass filter capable of filtering audio frequencies above 3 kHz. 47 C.F.R. § 90.242(b)(8). Certain commenters suggest this filtering restriction could be removed

⁴ Amendment of Parts 2 and 89 of the Rules to Provide for the Use of Frequencies 530, 1606 and 1612 kHz by Stations in the Local Government Radio Services for the Transmission of Certain Kinds of Information to the Traveling Public, Docket No. 20509, *Report and Order*, 67 FCC 2nd 917 (1977) ("TIS Report and Order"). TIS operations may provide information pertaining to traffic and road conditions, traffic hazard and travel advisories, directions, availability of lodging, rest stops and service stations, and descriptions of local points of interest." 47 C.F.R. § 90.242(a)(7). In the recent Order, the Commission further clarified that TIS content must continue to have a nexus to travel, an emergency, or an imminent threat of danger, such as AMBER and Silver Alerts. Order at ¶¶ 2 and 21.

with little or no increased interference to adjacent channel AM services.⁵ These parties assert that 3 kHz filters reduce the intelligibility of TIS broadcasts, especially at night and over difficult terrain. For example, Burden Associates cites experiments showing that removing the 3 kHz filter improved the transmission of a TIS signal considerably, “with no audible interference” to reception on a first adjacent channel. Burden Comments at 2. The Commission sought comment on eliminating the filter requirement. Notice at ¶¶ 42-43.

SBE makes a compelling case against this proposal.⁶ SBE states that removing this filter will increase the risk of interference to AM broadcast stations and their service to the listening public. SBE Comments at 3. SBE also urges the Commission to consider the ever-worsening ambient noise in the AM frequency band, and the difficulty of efficiently enforcing interference protections. *Id.* SBE explains that, without proper filtering, TIS interference to AM stations may be especially troublesome in populated areas and on busy highways, where AM receivers are more likely to be near a TIS transmitter. *Id.* SBE also questions the anecdotal evidence provided by Burden, noting a lack of “technical validity or proper scientific methodology.” *Id.* at 5.

NAB shares SBE’s concerns. Removal of all TIS filter requirements will increase the risk of harmful interference to AM radio services, thereby hindering the delivery of AM broadcasters’ critical emergency information and diverse locally-oriented public

⁵ Comments of Richard W. Burden Associates, PS Docket No. 09-19 (Mar. 3, 2011), at 2-3; Comments of Daniel R. Gropper, PS Docket No. 09-19 (Sep. 11, 2013), at 8; Comments of Steve Lazenby, PS Docket No. 09-19 (July 29, 2013), at 1; Comments of City of Sugar Land (TX), Office of Emergency Management, PS Docket No. 09-19 (July 29, 2013), at 1.

⁶ Comments of the Society of Broadcast Engineers, Inc. (“SBE”), PS Docket No. 09-19 (Sep. 18, 2013).

affairs and entertainment content. NAB fully supports SBE's position opposing the proposal to completely remove the TIS filter obligation.

NAB also submits that a compromise approach may be workable. The rules limit TIS service to voiced content, which requires relatively narrow bandwidth. 47 C.F.R. § 90.242(a)(7). Given this restriction, NAB suggests that a somewhat wider TIS filter than 3 kHz may be acceptable. For instance, a filter capable of filtering audio frequencies above 5 kHz should allow for a TIS signal of sufficiently higher quality, without impeding neighboring AM services. We note that full-power AM radio stations routinely use 5 kHz filters to address and prevent interference among AM stations, with few significant problems.

Such an approach, however, would depend on TIS stations' strict compliance with Section 90.242(a)(7). SBE states that "broadcast engineers have observed that some TIS broadcasts contain musical content in the form of segues and other enhancements." SBE Comments at 6. Musical content requires wider bandwidth that may not be successfully dealt with by a 5 kHz filter. Thus, a 5 kHz filter may not be adequate if TIS stations continue broadcasting musical content contrary to Commission rules. Such an outcome would be unworkable because, as SBE describes, it can be difficult to promptly resolve interference problems caused by TIS stations. SBE explains that travelers listening to AM radio will experience only fleeting or temporary interference caused by TIS operations. *Id.* at 7. As a result, these listeners are less likely to file complaints with the Commission that would lead to interference resolutions.

For the reasons stated above, NAB supports SBE's position against elimination of all TIS filters, and alternatively, offers a proposal to allow TIS operators to use a 5 kHz filter, presuming TIS stations broadcast only voice content, as required under the Commission's rules.

Respectfully submitted,

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