



January 25, 2023

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication, MB Docket No. 16-142

Dear Ms. Dortch:

On Monday, January 23, 2023, Ramona Alexander, Vice President and General Manager of WDBD-TV of American Spirit Media, Catherine Badalamente, President and CEO of Graham Media Group, Perry Sook, Chairman, President and CEO of Nexstar Media Group and Curtis LeGeyt, Alison Neplokh and the undersigned of the National Association of Broadcasters (NAB) met with Chairwoman Rosenworcel, her legal advisor David Strickland, and Media Bureau Chief and legal advisor to the Chairwoman, Holly Saurer. In a separate meeting, the same group of broadcasters met with Commissioner Simington and his advisors Adam Cassady and Marco Peraza. Additionally, Ramona Alexander, Catherine Badalamente, Curtis LeGeyt, Alison Neplokh and the undersigned met with Commissioner Starks and his advisors Shiva Goel and Hannah Lepow. In these meetings, NAB and its members underscored the importance of the Next Generation Television standard to the continued vitality of our free, local, and trusted service.

Broadcasters shared the viewpoints from small, medium, and large television groups – all of which are unanimous in the critical role the Next Gen TV standard will play in enabling broadcasters to thrive in an increasingly competitive media marketplace. With this new standard, broadcasters are already deploying new capabilities to their viewers. For example, the CEO of Graham Media discussed the wealth of new hyperlocal content her company is distributing across its digital platforms and how it has deployed apps to enable television viewers to access that content. The General Manager of WDBD-TV explained that in rural communities like the one her station serves, broadcasters are often the only source of local news and information and her excitement for the increased opportunities Next Gen will bring to her community to enable coverage of local events.

However, for all benefits that Next Gen TV promises to bring broadcasters and their communities, a stalled transition is threatening the future of the broadcast industry altogether. In the nearly seven years since broadcasters alongside the consumer

1 M Street SE
Washington DC 20003 3512
Phone 202 429 5300
nab.org

technology association petitioned the FCC to allow broadcasters to begin transitioning to this new standard, ultra-high-definition (or 4K) video has grown from a futuristic capability to a common capability available across nearly all other video platforms. Soon, 4K will be considered table stakes to gain access to high value content. Broadcasters cannot truly begin to offer this experience while transmitting in both standards (without any additional spectrum available). As the transition continues to stretch out, broadcasters risk losing sports and other high-value content to pay-tv platforms that are permitted to employ more advanced technologies. If broadcasters cannot keep this high-value content, it will greatly undermine their ability to serve their viewers and produce high-quality local content.

To date, broadcasters have made great progress in deploying Next Gen TV signals in markets across the country. Nearly 60% of Americans have access to Next Gen TV service, with more markets being launched every month. However, delivering the promise of this innovative technology requires a plan to eventually end the wasteful dual transmission in both ATSC 1.0 and ATSC 3.0.

To be sure, there are many important questions that must be addressed before this sunset can occur. Ensuring that viewers can continue to receive free and local television signals before, during, and after the transition is of paramount importance to broadcasters and the Commission alike. Televisions with Next Gen TV capability are available from several manufacturers at a variety of price points, and low-cost converter devices are being brought to market to help ensure consumers can receive Next Gen signals.

Without Commission action, this is all in peril. To that end, broadcasters ask the Commission to do two things to help maintain momentum on this transition.

First, each Commissioner should use their platform to demonstrate the agency's commitment to ATSC 3.0. The Commission has done a great job leading the way on 5G and Wi-Fi and other innovative technologies – signaling to the market that the US will do what needs to be done to allow innovation to thrive. The single biggest factor in the success of this transition is almost completely out of our control – it is up to the consumer electronics industry to build the devices that consumers will use to access our signals. By signaling support for ATSC 3.0 as the future of broadcasting, the Commission can help ensure these devices get built and marketed. In contrast, a lack of support will slow the pace of deployment and eventually we may be stuck.

Second, we asked the Chairwoman to establish an ATSC 3.0 task force within the Commission. A task force would put greater focus on the important issues and could draw on expertise from multiple offices and bureaus to attack problems as they arise. A task force would enable the Commission to more effectively and efficiently focus on our shared concerns about viewers losing access to television signals, among other things.

Having a person or group of people whose primary focus is on solving these complex and important issues would enable the transition to proceed as quickly as possible while protecting viewers.

Please direct any inquiries regarding this matter to the undersigned.

Respectfully Submitted,

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

Rick Kaplan
Chief Legal Officer and Executive Vice President,
Legal and Regulatory Affairs
National Association of Broadcasters

cc: Chairwoman Jessica Rosenworcel, Commissioner Geoffrey Starks, Commissioner Nathan Simington, Adam Cassady, Shiva Goel, Hannah Lepow, Marco Peraza, Holly Saurer, David Strickland