

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

Media Bureau Seeks Comment on Joint Petition)	
For Rulemaking of America’s Public Television)	GN Docket No. 16-142
Stations, the AWARN Alliance, the Consumer)	
Technology Association, and the National)	
Association of Broadcasters Seeking to Authorize)	
Permissive Use of the “Next Generation TV”)	
Broadcast Television Standard)	
)	

**REPLY COMMENTS OF AMERICA’S PUBLIC TELEVISION STATIONS,
THE AWARN ALLIANCE, THE CONSUMER TECHNOLOGY ASSOCIATION AND
THE NATIONAL ASSOCIATION OF BROADCASTERS**

June 27, 2016

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I. INTRODUCTION AND SUMMARY

Petitioners¹ have asked the Commission to move forward with a Notice of Proposed Rulemaking that will set the stage for broadcasters to provide their viewers with innovative new features and services and make more efficient use of their spectrum

¹ Petitioner America's Public Television Stations ("APTS") is a nonprofit membership organization that represents the overwhelming majority of public television stations nationwide. APTS fosters strong and financially sound noncommercial television and works to ensure member stations' commitment and capacity to perform essential public service missions in education, public safety and civic leadership for the American people.

Petitioner the Advanced Warning and Response Network Alliance ("AWARN Alliance") is comprised of media and technology companies dedicated to expanding the capabilities of next-generation digital TV broadcasting to deliver reliable, rich media alerts anywhere, anytime, and to enhance the nation's emergency preparedness for the public and first responders alike.

Petitioner the Consumer Technology Association ("CTA") is the technology trade association representing the \$285 billion U.S. consumer electronics industry, with more than 2,000 members. CTA engages in legislative and regulatory advocacy, market research, technical training and education, industry promotion, standards development and the fostering of business and strategic relationships.

Petitioner National Association of Broadcasters ("NAB") is the 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.

through voluntary use of the Next Generation TV broadcast transmission standard. Using the approach petitioners have outlined, the benefits of Next Generation TV, including visually stunning pictures, more immersive audio, superior reception, enhanced public safety capabilities and other features can be realized without disenfranchising viewers who rely on equipment that is compatible only with the current standard, and without costly subsidies or government mandates.

Because Petitioners seek a voluntary, market-driven transition, viewers themselves will dictate the pace of the transition in their markets. Accordingly, the Commission need not adopt prescriptive rules or a schedule governing the transition. Broadcasters, consumer electronics manufacturers, broadcast transmission equipment manufacturers and the public safety community are eager to move forward and dedicate additional resources to Next Generation TV; they simply need the Commission's permission to do so.

Unfortunately, some parties have chosen to use this request to innovate as an opportunity to further their own narrow, unrelated interests by asking the Commission to impose unjustified regulatory burdens on broadcasters. The Commission should resist efforts to tether a request for approval of a new transmission standard to unrelated issues, such as retransmission consent. It should also reject calls for delay intended to stifle innovation and competition, or to expand Petitioners' request into a complete overhaul of broadcasters' already market-leading public service obligations. Instead, the Commission should to continue to move forward expeditiously in this matter by issuing a straightforward, focused Notice of Proposed Rulemaking that would approve voluntary use of the Next Generation TV transmission standard.

II. THE RECORD REFLECTS BROAD SUPPORT FOR EXPEDITIOUS APPROVAL OF THE NEXT GENERATION TV STANDARD AS AN OPTIONAL TRANSMISSION STANDARD

Next Generation TV offers compelling public interest benefits, including stunning video and more immersive audio. But Next Generation TV is more than just a superior picture and sound. It offers the potential for revolutionary features that will significantly enhance the viewing experience. It also offers the potential to enhance public safety, improve mobile reception of broadcast over-the-air signals, new datacasting opportunities and new programming opportunities for underserved communities. Because it builds on the internet protocol format, Next Generation TV will allow for ubiquitous content availability. In short, Next Generation TV lays out a path for maintaining American leadership in the broadcast industry.

A. Time Is of the Essence

Petitioners commend the Commission for the speed with which it is proceeding in this matter. The Commission released a public notice seeking comment on the petition less than two weeks after the petition was submitted.² The potential benefits of Next Generation TV do not lie in a distant, theoretical future. ATSC 3.0 chips are in development, as is transmission equipment. Broadcasters, the consumer electronics industry and broadcast equipment manufacturers are ready to move forward if the Commission will just let them.

² *Media Bureau Seeks Comment on Joint Petition for Rulemaking of America's Public Television Stations, the AWARN Alliance, the Consumer Technology Association, and the National Association of Broadcasters Seeking to Authorize Permissive Use of the "Next Generation TV" Broadcast Television Standard*, Public Notice, GN Docket No. 16-142 (April 26, 2016).

Broadcasters are committed to investing in their future. For example, Cox Media Group, “has invested significant resources in the development of Next Generation TV” and urges the Commission to proceed with all reasonable speed because Next Generation TV promises “exciting, innovative services and nearly endless new possibilities.”³ TEGNA stresses that it is “eager to begin deploying Next Generation TV to provide additional services” to its viewers.⁴ Gray Television similarly states that it and other broadcasters “are eager to explore the possibilities ATSC 3.0 offers for their viewers – opportunities for bigger, better and customizable news and entertainment options.”⁵ Graham Media Group states that the “time to approve Next Generation TV as a new, optional standard for broadcast television is now,” noting that consumer electronics manufacturers are selling millions of new television sets with 4K capabilities and “new functions such as High Dynamic Range and captivating audio capabilities.”⁶ Sinclair Broadcast Group states that it is “prepared to do its part to implement Next Generation TV as expeditiously as possible following FCC approval.”⁷

GatesAir, a leading supplier of broadcast transmission equipment, confirms that “the technology required to implement Next Generation TV is already being developed.”⁸ Transmission equipment is available today “that is ATSC 3.0 compatible with a mere

³ Comments of Cox Media Group at 2, GN Docket No. 16-142 (May 25, 2016).

⁴ Comments of TEGNA, Inc. at 1, GN Docket No. 16-142 (May 26, 2016).

⁵ Comments of Gray Television, Inc. at 4, GN Docket No. 16-142 (May 23, 2016).

⁶ Comments of Graham Media Group at 4, GN Docket No. 16-142 (May 26, 2016).

⁷ Letter from Rebecca Hanson to Marlene H. Dortch, GN Docket No. 16-142 (May 26, 2016).

⁸ Comments of GatesAir Inc. at 2, GN Docket No. 16-142 (May 26, 2016).

software upgrade.”⁹ GatesAir has made a significant investment in developing future-compatible transmission technologies, and stresses that “the ecosystem necessary for ATSC 3.0 is well on its way to fruition.”¹⁰

Broadcasters in other countries are not standing still. South Korean broadcasters, for example, plan to provide 4K coverage of the 2018 Winter Olympic Games in Pyeongchang.¹¹ Commenters in this proceeding have demonstrated a similar willingness to invest in Next Generation TV technology as soon as the Commission approves the optional use of the standard. Petitioners themselves, including commercial and non-commercial broadcasters, public safety and the consumer electronics sector, demonstrate the broad coalition of stakeholders seeking prompt approval of the Next Generation TV standard. In light of this support, we urge the Commission to continue to move expeditiously in this proceeding, and adopt an NPRM by October 1, 2016 that will set the stage for the future of television and maintain American leadership in this sector.

B. The Commission Should Avoid Needlessly Prescriptive Requirements for the Transition

Petitioners’ proposal for a wholly voluntary, market-driven transition relies on broadcasters’ willingness to continue to transmit signals using the current transmission standard through simulcasting arrangements. Significantly, Petitioners agree with AT&T

⁹ *Id.*

¹⁰ *Id.*

¹¹ James O’Neal, “Korea Reveals Its Plans for UHD TV at NAB Show,” TVTechnology (May 4, 2016) (available at: <http://www.tvtechnology.com/broadcast-engineering/0029/korea-reveals-its-plans-for-uhdtv-at-nab-show/278593>); *see also* Deborah D. McAdams, “NAB 2016: LG, Korean Broadcasters Demo ATSC 3.0 Progress,” TV Technology (April 17, 2016) (available at: <http://www.tvtechnology.com/atsc3/0031/nab-2016-lg-korean-broadcasters-demo-atsc-30-progress/278488>).

and NCTA that MVPDs should not be required to carry the ATSC 3.0 signal during the transition.¹² If an MVPD chooses to offer its customers the improved quality of service and new features that broadcasters can provide using the Next Generation TV standard, this will be the MVPD's choice, and interested parties can address such carriage through negotiations.

Broadcasters are committed to making the transition as seamless and consumer-friendly as possible. Broadcasters have every incentive to maintain the highest quality signal possible during the transition, to provide their viewers with the best service possible. The challenges of maintaining the highest quality signal while simulcasting are certainly not novel. The Commission has already permitted broadcasters to channel share in the context of the incentive auction and has proposed to extend channel sharing outside the context of the incentive auction.

Nevertheless, it is critical that the Commission avoid dictating how this transition proceeds. Maintaining viewership and serving viewers' needs is central to every broadcaster's interests. However, to remain viable competitors in the video programming marketplace, broadcasters must have the ability to innovate and evolve, just as their competitors do. Indeed, when other spectrum users transition to new technology – for example, wireless carriers transitioning from 3G to 4G LTE networks – the Commission does not impose specific service standards governing the transition. Because broadcasters are unlikely to have additional spectrum available to ease the transition, they must have the flexibility to manage the transition as effectively as possible. Imposing new

¹² Comments of the National Cable & Telecommunications Association at 2, GN Docket No. 16-142 (May 26, 2016); Comments of AT&T at 5, GN Docket No. 16-142 (May 26, 2016).

requirements on the signal quality broadcasters must maintain during the transition may well have the effect, in some markets, of making the transition significantly more complex – or even of preventing the transition entirely. The Commission should not thwart progress by allowing a concern for maintaining current signal quality to prohibit a technological upgrade that can deliver far superior service to viewers.

III. THE COMMISSION SHOULD REJECT REGULATORY OPPORTUNISM

Next Generation TV offers tremendous potential to revolutionize the television viewing experience. To unleash this potential, the Commission simply needs to approve broadcasters' optional use of the new transmission standard. Extensive revisions of the Commission's rules are not only unnecessary; they are counterproductive and will only serve to deprive viewers of exciting services and new features.

Regrettably, a handful of commenters seek to use the petition as an opportunity to further their self-interested regulatory agendas. The Commission should reject these efforts and, more broadly, should not entertain attempts to unnecessarily expand the scope of this proceeding. Petitioners have asked for a narrow, targeted set of rule changes that will provide broadcasters with the flexibility to innovate and compete without expanding their spectrum footprint. The Commission can and should move forward with a narrowly focused NPRM addressing the present request without comprehensively re-examining broadcasters' already unique public service obligations and service rules or adopting unduly prescriptive requirements for a voluntary, market-based transition to the new standard.

A. The Commission Should Ignore DISH's Efforts to Insert Its Retransmission Consent Agenda into This Proceeding

DISH's request that the Commission consider issues far outside the scope of this proceeding should be rejected. By asking the Commission to rewrite broadcasters' service rules and condition approval of the Next Generation TV standard on specific service offerings, DISH seeks to leverage this proceeding to undermine the retransmission consent rights of broadcasters whose programming DISH wishes to carry at below-market rates.

DISH's proposed requirement for broadcasters to serve their entire Designated Market Area (DMA) before being allowed to transition to Next Generation TV would represent a radical departure from existing Commission's rules.¹³ Since the inception of broadcast television, stations have been licensed to serve a community, not a DMA. Completely upending the Commission's traditional approach to broadcast station licensing and requiring broadcasters to serve their entire DMA would fatally undermine the success of the current broadcast spectrum auction by necessitating drastic revisions to the FCC's repacking methodology. That methodology is built around replication of stations' existing contours; significantly expanding or altering the coverage area broadcasters serve would send the FCC back to the drawing board and significantly delay the auction.

Additionally, many DMAs are impossible to serve with a single broadcast transmission facility due to their size. For example, the Salt Lake City DMA covers the

¹³ Comments of DISH Network L.L.C. at 5-6, GN Docket No. 16-142 (May 26, 2016) (DISH Comments).

entire state of Utah, as well as portions of neighboring states. Further, most DMAs are shaped in ways that would make them impossible to serve with a single facility without signals spilling into adjacent DMAs. Requiring broadcasters to serve their entire DMA would thus entail providing broadcasters with significantly more spectrum. This, again, would thwart the success of the incentive auction by dramatically curtailing the amount of spectrum that could be made available in the forward auction.

Ultimately, DISH's proposal is unrelated to extending service to viewers throughout a DMA. Instead, DISH seeks to undermine broadcasters in retransmission consent negotiations with DISH. DISH's own comments make this perfectly clear, as DISH suggests that any broadcaster failing to maintain coverage throughout its DMA should lose its ability to negotiate for retransmission consent with DISH. In sum, DISH seeks to impose a technically infeasible requirement on broadcasters and, when broadcasters are inevitably unable to comply, punish broadcasters by forbidding them to negotiate for compensation with DISH for programming DISH sells to its subscribers.

DISH's other proposal, to condition a broadcaster's use of the Next Generation TV standard on provision of specific features, such as 4K transmissions, or to require broadcasters to specify what features and services they will provide, will stifle innovation and prevent broadcasters from responding to market demands.¹⁴ Of course, the reason broadcasters would seek to adopt the Next Generation TV standard would be to provide new and improved services for viewers. But the Commission should not prejudge what those services are, or impose novel requirements on broadcasters as part of the transition.

¹⁴ *Id.* at 6, 8-9.

Indeed, one of the key attributes of Next Generation TV is its flexibility. Some broadcasters may best serve their viewers by offering 4K programming. Others may choose to offer additional multicast streams to provide additional diversity in programming choices, while still others may focus their efforts on increased robustness for mobile television reception. Broadcasters simply request permission to innovate using their existing spectrum to provide services the market may demand. The Commission should not foreclose such innovation at the outset by imposing specific feature requirements before the Next Generation market has fully developed.

B. The Commission Should Reject ACA's Efforts to Delay Next Generation TV

The American Cable Association (ACA) urges the Commission to delay moving forward with an NPRM in this proceeding, claiming that “the Commission is nowhere near ready to issue rules.”¹⁵ ACA raises a litany of concerns over the transition to the Next Generation TV standard and essentially asks the Commission to freeze broadcasters in time until each and every conceivable question concerning the transition is fully addressed to ACA's satisfaction, beginning with a Notice of Inquiry that will do no more than delay an eventual NPRM. ACA's objections are nothing more than an effort to stifle innovation and competition. The Commission should reject this effort.

As an initial matter, the next step in this proceeding will not be the issuance, out of the blue, of final rules. Rather, it will be a rulemaking proceeding in which ACA will have the opportunity to participate and comment. To the extent, then, that ACA has

¹⁵ Comments of the American Cable Association at ii, GN Docket No. 16-142 (May 26, 2015) (ACA Comments).

legitimate concerns regarding the transition to Next Generation TV and the effects on cable operators, it can certainly raise those concerns in response to an NPRM.

At any rate, ACA's raises no objection that would actually warrant delay or further inquiry by the Commission. ACA's principal concerns fall into two categories: must-carry issues, including which signals MVPDs will be required to carry; and costs – specifically who will bear any expenses associated with carriage of Next Generation TV signals. While these issues might warrant further inquiry in a mandatory transition to Next Generation TV, the voluntary, market-based transition Petitioners have proposed renders them moot.

With respect to carriage issues, Petitioners have made plain that MVPDs would not be obligated to carry Next Generation TV signals during the transition. For the avoidance of doubt on this point, Petitioners recently submitted a clarification of their proposed rules that seeks to dispel any confusion as to whether carriage of Next Generation TV would be mandatory during the transition.¹⁶ Because MVPDs will not be required to carry Next Generation TV signals, and can fulfill their must-carry obligations by carrying a simulcast ATSC 1.0 signal, the Commission need not consider what burdens forced carriage of Next Generation TV would impose on MVPDs.

In particular, NAB agrees with NCTA that there is no need for the Commission to address issues concerning a potential sunset of ATSC 1.0 signals at this point. Instead, as NCTA suggests, “the Commission should conduct a further proceeding at the appropriate

¹⁶ Letter from Lonna M. Thompson, Julie M. Kearney, John M. Lawson and Rick Kaplan to Marlene H. Dortch, GN Docket No. 16-142 (May 26, 2016).

time to establish how to determine when to allow broadcasters to cease providing an ATSC 1.0 signal.”¹⁷ This is wholly consistent with Petitioners’ request that the Commission allow the speed and scope of the transition to be dictated by the market, rather than by Commission mandate at this time. Accordingly, ACA’s concerns that its members may be “forced” to carry ATSC 3.0 content are wholly unfounded. Of course, ACA’s members may choose to negotiate with broadcasters for the right to carry such content, but that is their choice.

For the same reason, ACA’s concerns regarding costs associated with cable operators’ carriage of ATSC 3.0 content are baseless. ACA’s members will not be forced to carry Next Generation TV content during the transition. Because the transition will be voluntary, the Commission need not explore questions as to who should bear costs associated with a forced transition to Next Generation TV.

Finally, Petitioners respectfully submit that ACA’s reflexive opposition to innovation will ultimately prove contrary to the interest of ACA’s own members. ACA claims that “the transition to ATSC 3.0 is a project that principally benefits *broadcasters*, and to which ACA’s members find themselves largely indifferent.”¹⁸ That is a lamentably short-sighted position. Next Generation TV will offer a compelling new experience for viewers – the customers of ACA’s members – and these viewers themselves will drive the pace and scope of the transition. If ACA’s members see no benefit in serving their customers and providing content viewers demand, that is their choice. Petitioners,

¹⁷ Comments of the National Cable & Telecommunications Association at 8, GN Docket No. 16-142 (May 26, 2016).

¹⁸ ACA Comments at 5.

however, believe that a transition to Next Generation TV will benefit broadcasters, consumer equipment manufacturers, public safety, MVPDs and, most importantly, viewers.

C. Low Power Stations Will Not Be Unfairly Disadvantaged By a Transition to Next Generation TV

The LPTV Spectrum Rights Coalition states that LPTV stations must be “at the table” for FCC rulemakings on the Next Generation TV standard.¹⁹ Beyond the fact that FCC rulemakings are public proceedings in which LPTV representatives are free to participate, the transition would be open to LPTV stations just as it would be to full power stations. Petitioners seek a wholly voluntary transition to Next Generation TV, one that will not require any broadcaster to invest in the transmission standard if they do not wish to do so. Low power stations are free to make the transition to Next Generation TV if they choose, but they are not required to do so.

To the extent LPTV stations considering a transition to Next Generation TV face special technical considerations, LPTV representatives are free to present those considerations to the FCC in a forthcoming rulemaking proceeding. But the Commission should not allow that rulemaking to be bogged down by unrelated issues, such as whether or not LPTV stations are entitled to carriage by MVPD systems.²⁰ Such considerations are wholly irrelevant to FCC approval of the new transmission standard as an optional standard for broadcasters, and the Commission should not unnecessarily expand the

¹⁹ Letter from Mike Gravino to William F. Lake at 1-2, GN Docket No. 16-142 (April 14, 2016).

²⁰ *Id.* at 2-3.

scope of this proceeding. This will only delay adoption of the new standard, stifling investment and innovation.

D. The Commission Should Not Impose New Regulatory Burdens on Broadcasters

The Commission should resist calls to comprehensively re-examine broadcaster public service obligations as part of approving the Next Generation TV standard. A collection of interest groups dedicated to expanding unlicensed opportunities in TV White Spaces (TVWS) ask the Commission to radically and unnecessarily expand the scope of this proceeding by expanding the regulatory obligations of broadcasters – and imposing none of these same obligations on TVWS users.²¹

The TVWS Advocates state that Next Generation TV “represents just the type of radical shift in broadcast technology that warrants a comprehensive examination of how broadcasters will satisfy their public interest obligations in this new environment.”²²

According to the TVWS Advocates, the Commission should:

- Consider revising and expanding its political rules, including, among other things, by providing additional airtime to political candidates, providing viewer-engagement data to candidates.²³
- Adopt localism requirements “similar to existing educational and children’s programming requirements,” even though they acknowledge

²¹ Comments of Public Knowledge, Common Cause, and Open Technology Institute at New America, GN Docket No. 16-142 (May 26, 2016) (TVWS Advocates Comments).

²² *Id.* at 4.

²³ *Id.* at 9.

that local news broadcasts “attract large audiences because citizens want to know about news that directly affects them and their communities.”²⁴

- Explore expanded requirements for educational and children’s programming.²⁵
- Expand accessibility requirements.²⁶
- Mandate particular enhanced emergency alert capabilities.²⁷
- Expand broadcasters’ public file obligations.²⁸

In short, the TVWS Advocates urge the Commission to consider a sweeping, wholesale expansion of broadcaster regulations and obligations, justified solely by misplaced indignation at the potential for Next Generation TV to provide broadcasters with additional business opportunities.²⁹ Apparently, to the TVWS Advocates, any chance of profitability should be accompanied by a proportional increase in burdensome regulations, to avoid the possibility of broadcasters doing too well.

This is a backwards, ill-formed position. Broadcasters are already among the most heavily regulated of spectrum users, with public interest obligations far exceeding those of other licensees and other spectrum users. Revising and expanding those public interest obligations solely because broadcasters seek to offer new and improved services to their

²⁴ *Id.* at 10-11.

²⁵ *Id.* at 12.

²⁶ *Id.* at 13.

²⁷ *Id.* at 13-14.

²⁸ *Id.* at 15.

²⁹ *Id.* at 4.

customers is precisely the type of anticompetitive, anti-innovation regulatory overreach the Commission avoids with other licensees, and should decline to impose here.

For example, the Commission is not considering imposing sweeping new regulatory requirements on wireless carriers seeking to transition to 5G from LTE technology, or on broadband service providers upgrading their facilities or deploying fiber to new communities, or on consumer equipment manufacturers producing improved products. The Commission would view such steps as hampering investment and innovation. It would freeze service providers in time and depriving consumers of new services and the benefits of enhanced competition.

To be clear, broadcasters do not seek to shirk their existing public service obligations through the transition to Next Generation TV. Petitioners have made plain that their request contemplates the maintenance of public service obligations and compliance with Commission rules. But Petitioners do not believe that public service innovation should be stifled or that broadcasting should be singled out even further by being saddled with additional regulation accompanying every technological advance.³⁰

Ironically, in the very same pleading in which the TVWS Advocates ask the Commission to place additional regulatory burdens on broadcasters due to their gnawing discomfort with the free market, the TVWS Advocates urge the Commission to make sure that Next Generation TV does not interfere with their TVWS experiment. TVWS

³⁰ Comments filed by the AWARN Alliance in the Commission's proceeding to improve the Emergency Alert System also make clear that voluntary innovation by broadcasters and technology companies, not additional regulatory requirements, has led to the Advanced Emergency Alerting capabilities that are a core element of the Next Generation Television standard. Comments by the AWARN Alliance, PS Docket No. 15-94 (June 8, 2016).

users shoulder *none* of the public interest obligations broadcasters bear, despite getting access to spectrum at *no cost*. Absolutely zero. Before the Commission even considers expanding the regulatory obligations of broadcasters, it should, at a minimum, bring non-broadcast users operating in the television band to regulatory parity with broadcasters. If the TVWS Advocates believe it is critical to dramatically expand the scope of this proceeding to address broadcasters' public interest obligations, they should be willing to accept the same obligations.

Most importantly, the Commission should not pick winners and losers by requiring broadcasters to protect or in any way accommodate TVWS users beyond the Commission's existing rules. Because the transition will be accomplished without the need for additional spectrum, there should be little or no impact on TVWS users. However, unlicensed users have no right to protection from interference caused by licensed users, and no expectation of priority over licensed operations. The Commission should not prevent broadcasters from innovating and expanding their service solely to provide TVWS users with new protections to which they have never been entitled under the Commission's rules. All of this should also be viewed in light of the fact that TVWS operations have failed to yield meaningful benefits to date.

IV. CONCLUSION

The record of this proceeding demonstrates that broadcasters, consumer equipment manufacturers, public safety advocates and broadcast transmission equipment manufacturers are eager to move forward with a voluntary, market-based transition to Next Generation TV. A voluntary transition obviates the need for costly government

subsidies or intrusive mandates, and ensures that consumers themselves will determine the pace of the transition.

At the same time, because broadcasters will not have access to additional spectrum during the transition, the Commission must not dictate unduly prescriptive requirements for the transition. The Commission can best encourage investment and innovation by broadcasters and other stakeholders by continuing to move expeditiously, by declining invitations to transform this proceeding into a wholesale re-evaluation of broadcaster service rules, and by ignoring narrowly self-interested efforts to delay or derail this proceeding by bogging it down in a never-ending cycle of inquiries. All the Commission needs to do is make small changes to its rules to allow broadcasters the *option* of using the new transmission standard to do more with their existing spectrum. Petitioners respectfully urge the Commission to issue a focused NPRM in this proceeding no later than October 1.

Respectfully submitted,

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