

WSAB

Washington State Association of Broadcasters

724 Columbia St. N.W., Suite 310

Olympia, WA 98501-1249

Phone: (360) 705-0774 / Fax: (360) 705-0873

E-mail: wa-broadcasters@earthlink.net / Website: www.wsab.org

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The Honorable Patty Murray
United States Senate
448 Russell Senate Office Building
Washington, DC 20510

Dear Senator Murray,

This fall, Congress will likely consider legislation that would give the Federal Communications Commission (FCC) authority, for the first time, to conduct incentive auctions of currently occupied spectrum. If that authority is granted, FCC officials have stated publicly that they intend to hold incentive auctions designed to transfer spectrum from television broadcasters to wireless broadband providers. These incentive auctions – and the subsequent forced “repacking” of the remaining broadcasters into a smaller swath of spectrum – could have a severe and irreversible impact on television viewers in Washington. This effort is driven by both a perceived spectrum shortage for wireless broadband and the desire to raise revenue by the United States Government. To be clear, broadcasters have not opposed incentive auctions. We have, however, joined other state broadcast associations and the National Association of Broadcasters (NAB) in asking Congress to include language in any spectrum auction bill that will protect our viewers and ensure that any spectrum auction remains completely voluntary.

We would like to focus your attention on one particular concern regarding incentive auctions and repacking – a concern that could have a major impact on Washington. As we continue to study the FCC’s plan, it has become increasingly apparent that any effort to repack the broadcast band after an incentive auction would be complicated by our nation’s existing agreements with Canada. Determining which television stations can occupy which channels on the television dial is an enormously complicated puzzle that requires years of work and negotiation. Full-power television stations can have service areas of more than 50 miles in radius and to ensure interference-free television reaches viewers, full-power television stations operating on the same channel must usually be placed more than 100 miles apart. For example, a recent treaty with Canada, built around our television’s transition to digital distribution, establishes a 250-mile-wide interference buffer along our northern border that prevents a station in Buffalo from occupying the same channel as a station in Toronto.

If our nation moves forward with an incentive auction and subsequent repacking, the number of available channels for television broadcasters will be severely limited in markets that border Canada. Because you



represent Washington, which is within that 250-mile buffer of Canada, we believe that it is imperative you understand the impact of reclaiming spectrum and repacking could have on your local television stations as well as Washington viewers. According to a NAB analysis, based on the FCC's National Broadband Plan calls for the reclamation of 120 MHz of broadcast spectrum, 84 of Washington's 204 full power stations and TV translators/LPTV stations could be impacted by an incentive auction and repacking. Eighty-four of Washington's television stations now operate above TV channel 30. Eighty-three stations would not have a channel, forcing them to share channels with another station or cease to exist. This includes 14 full power TV stations and 69 TV Class A and TV translators/LPTV stations. These 14 full power stations are located in the Seattle-Tacoma and Spokane markets.

Therefore we ask that you help ensure that before the FCC can repack the television band, or before the FCC can relicense broadcast spectrum, that Congress require that a new memo of understanding, agreement or treaty with Canada be finalized. Such an understanding, agreement or treaty must provide any remaining U.S. broadcast TV station located within 250 miles of the international border with a new comparable DTV channel that has been fully coordinated and approved by the appropriate Canadian administration and that ensures Washington broadcasters can continue to serve their current population and service area.

Without such a requirement, Washington's television viewers could lose access to their favorite broadcast entertainment, sports, weather and emergency information. We are asking for your help to prevent this from happening.

We are not opposed to incentive auctions, but ask for your help in making sure these auctions are done correctly and with careful consideration of the impact it will have on our nation's free over-the-air television service, a service that has served Americans well for many years. We look forward to working with you and your staff to help construct legislation that will both ensure a high-quality broadband system and a strong and vibrant broadcast industry.

Sincerely,
Washington State Association of Broadcasters



Mark Allen, Esq.
President & CEO