



# NATIONAL TRANSLATOR ASSOCIATION

*OUR AIM – TO PROVIDE FM and TV SIGNALS in EVERY HOME*

Office of the President, 2355 Ranch Dr., Westminster, CO 80002 303-465-5742 stcl@comcast.net

March 25, 2011

The Honorable Fred Upton  
Chairman, Committee on Energy and Commerce  
U.S. House of Representatives  
2183 Rayburn HOB  
Washington DC 20515-2206

## FCC Broadband Plan Implementation

Dear Chairman Upton:

The National Translator Association urges Congress not to pass or approve any part of the so-called "National Broadband Plan," especially spectrum auctions, currently being advanced by the Federal Communications Commission ("FCC" or "Commission") until after such a plan has been fully vetted by Congress and after the FCC has released all components of its implementation proposals. It has become obvious over the last year that the Office of the Chairman of the FCC wants the plan implemented piecemeal, so that there can be no comparison of the trade-offs required to effectuate the plan. The draft "repacking" plan has been completed, but not released. The implementing regulations have been completed, but not released. Why?

NTA is dedicated to the provision of free over-the-air television and audio service to all areas that do not receive adequate coverage from a full complement of primary broadcast stations. Its membership includes, but is not limited to, owners and operators of TV translator and LPTV stations that rebroadcast the signals of full-service television stations. As of December 31, 2010, there were 1,781 full-service television stations and a combined total of 7,240 television translator, low power television, and Class A television stations. Those translator stations mostly serve rural areas without adequate television coverage, yet there has not, to date, been any word as to the future of those stations or the viewers they serve. Is it a fair trade to cause the loss of television service to residents of rural areas, so that some can play games on their telephones? We do not think so.

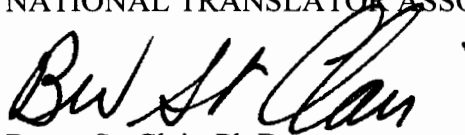
The preamble to the legislation currently pending in the Senate states that this legislation is in furtherance of a "National Broadband Plan." There is no such thing as a National Broadband Plan. The plan forwarded to Congress by the FCC Chairman's office was never adopted by the Commission. From the timing, it appears that no other Commissioner saw the plan before it was released, and the plan itself contained no factual predicate for the need for 500 MHz of additional spectrum for wireless that the Chairman specified. In fact, for most of the conclusions in the plan there was no factual predicate and no comparison of gain vs. loss of service to the public.

There is a reason that, in the ordinary course of events--*and prior to any implementing proceedings*, a draft of such a plan would be released, public comment sought on the proposals, and the public policy developed. Nothing purifies ideas better than sunlight. The Chairman apparently fears that sunlight will transform this proposal from a plum to a prune. No new plan should be implemented until the full ramifications are understood.

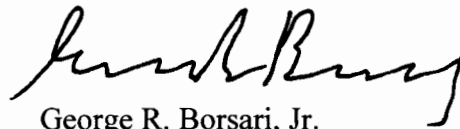
Besides the loss of television service in rural areas, there are additional considerations. The Chairman estimates that 30 billion dollars will be generated by the sale of the broadcast spectrum. Where will it come from? According to the *Washington Post* of March 22, 2011 (page A11), in 2002 there were 7 major wireless carriers. By 2011, after approval of several mergers, there were 4 carriers. AT&T has just announced that it is acquiring T-Mobile for 39 billion dollars. That would establish AT&T as by far the largest, and 1 of only 3, carriers. Could AT&T or its competitors actually pay 30 billion now to buy spectrum that will not be available for use for many years because of the necessity to transition TV stations out of the band?

NTA requests that Congress continue to press the FCC for a full spectrum inventory, including usage in addition to holdings. NTA also requests that no enabling legislation be passed until a fully developed plan is presented by the FCC and fully discussed.

Very truly yours,  
NATIONAL TRANSLATOR ASSOCIATION



Byron St. Clair, Ph.D.  
President



George R. Borsari, Jr.  
Counsel