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FCC Liaison Committee

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January 2, 2002

Magalie Salas Roman, Esq.
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Ms. Salas:

Attached are the comments of the Society of Broadcast Engineers, Inc. to the November 30, 2001, FCC public notice asking for comments to the NCTA and MAP *ex parte* presentations regarding EAS decoders for small cable television systems and for LPFM stations (EB Docket 01-66).

The comment deadline was December 24, 2001, so these SBE comments constitute late-filed *ex parte* comments. Because SBE is a volunteer organization and given that the comment deadline occurred when many SBE committee members were taking end-of-year vacation, it was not possible to complete and file these SBE comments until four business days after the filing deadline. SBE respectfully requests that these comments nevertheless be accepted and considered by the Commission when making its decision.

Sincerely,

/s/ Dane E. Ericksen

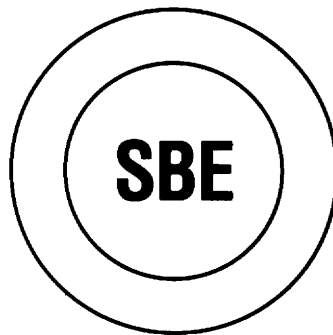
Dane E. Ericksen

Enclosure

cc: All SBE FCC Liaison Committee members
All SBE Officers and Directors

**Comments of the
Society of Broadcast Engineers, Inc.**

**EB Docket 01-66
EAS Docoders
for Small Cable Television Systems
and LPFM Stations**



January 2, 2002

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SOCIETY OF BROADCAST ENGINEERS, INC.
Indianapolis, Indiana

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Supplemental Comments Sought on)	EB Docket No. 01-66
National Cable Television Association and)	November 30, 2001, Public Notice
The Media Access Project Ex Parte)	DA 01-2775
Presentation Regarding EAS Decoders)	
)	

To: The Commission

Comments of the Society of Broadcast Engineers, Inc.

1. The Society of Broadcast Engineers, Incorporated (SBE), the national association of broadcast engineers and technical communications professionals, with more than 5,000 members world wide, hereby respectfully submits its comments in the above-captioned public notice requesting input on Emergency Alert System ("EAS") decoders for Low Power FM ("LPFM") stations and "small" cable television systems.
2. SBE recognizes the limited resources and budgetary constraints under which many LPFM stations and small cable systems must operate. SBE also cites the need for a robust and redundant alerting system consistent with FCC Part 11 technical standards which shall insure the EAS as a whole is able to reach as many citizens as possible in the shortest time frame practical.
3. Emergency warnings should be initiated by governmental entities according to the precepts of emergency management as SBE understands them. Again, according to generally accepted emergency management precepts, broadcast licensees, especially licensees of low power broadcast stations or small cable television facilities, should not be expected to originate EAS warnings. It is understood that should an EAS device be manufactured without the message origination circuitry and features, such devices would be less expensive and more applicable and affordable to the needs of Low Power licensees and small cable system operators. SBE concurs with this premise.
4. The manufacturers of FCC-approved EAS equipment have produced two varieties of EAS units: (1) encoders paired with decoders to meet Commission requirements for full-service broadcast stations and larger cable systems and (2) devices that will only encode the EAS messages, ostensibly for governmental entities or elements of the critical infrastructure

which only initiate emergency messages and do not have to decode them. The call for a third variety of EAS device, one that omits the ability to originate EAS messages and that will only decode and relay EAS messages for use with LPFM and small cable systems is sound, reasonable, and in keeping with the above mentioned precepts. Such a unit would be, potentially, less expensive and perhaps more applicable to the needs called out by the National Cable Television Association (“NCTA”) and by the Media Access Project (“MAP”).

5. Whereas LPFM stations and small cable systems are simply conduits whose responsibility is to relay to the public EAS messages from government warning centers to the general public, it is also their responsibility to relay those messages in their entirety. This process should either require the use of the store and forward technology utilized in the existing EAS decoders, or operate in the ‘pass through’ mode currently called out in Part 11 for National Level EAS.

6. SBE is aware of EAS devices that simply decode EAS messages. SBE believes that for the very reasons stated above, this equipment NOT be permitted in any broadcast or cable application. The decoded only approach seems to SBE to be appropriate only for end-user receiving devices. Decoders that do nothing else appear to SBE to preclude forwarding valid and complete messages to the general public if used in any type of downstream broadcast mode.

7. One of the tenets of the old Emergency Broadcast System ("EBS") was the notion that when the public needed emergency information they would be instructed to tune to a specific radio station for "news and official information." This concept was soundly rejected and replaced with EAS. EAS, unlike EBS, works on the principle that transmitting emergency information via as many facilities as possible is the best way to reach the greatest number of people in harms way. Indeed, many State Emergency Communications Committees (“SECC”) and Local Emergency Communications Committees (“LECC”) plans approved by the FCC are based on the ability of EAS to reach the public through the participation of a large number of broadcast and cable systems, regardless of their size. Any effort to limit or reduce the ability of EAS to reach the maximum number of persons would be contrary to the efforts of SECCs and LECCs and others involved in emergency management nationwide who have already integrated EAS into their plans.

8. The SBE, as an active participant in the EAS National Advisory Committee (“NAC”) wants the commission to reinforce and expand EAS principles, not compromise of otherwise

diminish them. SBE predicts that warnings as a subset of Emergency Public Information (“EPI”) will become an integral part of Homeland Defense in the post September 11, 2001 era.

9. The Homeland Defense effort will most certainly come to understand what SBE, based on its long experience with EBS and EAS, has known for some time: that all stakeholders must work together to build on what works to devise more effective and timely life safety warnings that can reach more people more of the time.

10. In the 9-11 disaster some 3,000 people lost their lives. While no one can say for sure if a better EAS warning would have saved lives on that tragic day, the precepts and protocols built into EAS can lead us to warning systems that might. It is this focus that we must maintain when we consider waivers or exemptions to EAS procedures that could in any way weaken the nation’s evolving warning strategy.

SBE Comments: EB Docket 01-66/DA 01-2775 • EAS

11. The SBE therefore concludes:

11A. Only FCC-approved decoder-only devices should be permitted in locations where the initiation of EAS messages is not required nor performed.

11B. These devices must have all the attributes and features of the current, in-place, decoders; that is, they must be FCC-approved store and forward devices, or be designed and FCC-approved to be fully capable of automatic pass-through of the entire EAS warning protocol.

11C. It would be contrary to the national interest to permit any entity whose product reaches the public to prevent their audience from receiving warnings about threats to life, limb and property. In short, no segment of the public should be left in harm's way as a result of an effort towards cost savings.

11D. The FCC should encourage the manufacturers of existing FCC-approved EAS equipment to make compatible EAS decoders for the LPFM and small cable system markets.

11E. Post September 11 warning initiatives should put more EAS decoders in more types of wired and unwired personal home electronics devices. SBE hopes the FCC will take note of this aspect of the unrealized potential of EAS and incorporate it into the decision on this proceeding in no uncertain terms. Doing so would be totally in keeping with the sound precepts that underlie the EAS.

Respectfully submitted,

Society of Broadcast Engineers, Inc.

/s/ Troy Pennington, CSRE
SBE President

/s/ Dane E. Ericksen, P.E., CSRTE
Chairman, SBE FCC Liaison Committee

/s/ Clay Freinwald, CPBE
Chairman, SBE EAS Committee

/s/ Christopher D. Imlay, Esq.
General Counsel

January 2, 2002

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