

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Review of the Emergency Alert System) **EB Docket No. 04-296**
)

To: The Commission

**COMMENTS OF THE
SOCIETY OF BROADCAST ENGINEERS, INCORPORATED**

The Society of Broadcast Engineers, Incorporated (“SBE”)¹ respectfully submits its Comments in response to the Commission’s *Notice of Proposed Rulemaking*, FCC 14-93, released June 26, 2014 in the above-captioned proceeding (the “*Notice*”). The Notice seeks to revise the Commission’s rules pertaining to the Emergency Alert System (EAS) in order to address problems encountered during the first nationwide test of the EAS, which occurred on November 9, 2011. In the interests of its members in an efficient and workable nationwide emergency alerting system, SBE states as follows:

1. The Notice specifically proposes four actions. First, it proposes to establish a national location code for EAS alerts issued by the President. Second, it would amend the Commission’s rules governing a national EAS test code for future nationwide tests. Third, it would require broadcasters, cable service providers, and other entities required to comply with the

¹ SBE is a professional organization of television and radio engineers and those in related fields. SBE has more than 5,300 members in 114 chapters across the United States. There are also SBE members in more than 20 other countries. Most SBE chapters meet monthly and offer educational programs and opportunities to network with other engineers. SBE offers a certification program that is recognized as the standard throughout the broadcast technical community and a wide range of educational programs for broadcast engineers, operators and technicians.

Commission's EAS rules to file EAS test results data electronically. Finally, the Commission proposes to require EAS participants to meet minimal standards to ensure that EAS alerts are accessible to all members of the public, including those with disabilities. SBE's comments address three issues set forth in the Notice: (1) the proposed use of the National Periodic Test Code (NPT) as an alternative to use of a live code test; (2) the proposed electronic reporting of results for nationwide tests; and (3) the clarification of the obligation to broadcast an Emergency Alert Notification (EAN) immediately upon receipt thereof by the EAS participant.

2. It typically falls to the broadcast engineer at a given station to manage EAS tests and to ensure compliance with the Commission's regulatory obligations attendant thereto. SBE members therefore have a significant interest in the success of EAS and in the nationwide and other tests of the system. At the same time, however, the Commission must understand that there are substantial costs to broadcast licensees in EAS participation. In this proceeding, and in general, the Commission should proceed so that the cost to broadcasters in EAS participation is kept to an absolute minimum. In this proceeding, at paragraph 35, the Commission states that it is "mindful of the EAS Participants' concerns about cost and the desire for flexibility in managing their technical systems." However, it is clear from the remainder of that paragraph and elsewhere in this proceeding that the Commission's concerns about the cost of EAS participation take a back seat to its intention that EAS be available to all members of the public on a timely basis. SBE's view is that both goals can and must be achieved simultaneously. Going forward, however, EAS will not be a success if the Commission does not do what is necessary to minimize the cost of EAS participation and regulatory compliance to Commission licensees.

3. At paragraph 15 of the Notice, the Commission notes that in the first nationwide EAS test, it was decided to utilize the EAN because an EAN-based test most closely mirrored an

actual alert. The Commission acknowledged the value of testing national-level EAS without using a live code such as the NPT in the future. One of the drawbacks of the use of EAN was that some deaf and hard of hearing people reported confusion because some EAS participants could not visually display the “This is only a Test” slide. Use of the NPT would avoid this. SBE notes that FEMA wishes to use the NPT code for the next nationwide test of the EAS component of IPAWS. SBE agrees that the NPT should be used for most nationwide EAS tests, but it should not require that broadcasters incur the cost of software and hardware upgrades that would be necessary in order for the NPT to emulate the EAN’s priority, duration and termination qualities. Instead, the NPT should be enabled as it is currently programmed in most, if not all, EAS equipment as a -normal EAN emulated EAS alert. It is necessary to minimize the costs that implementing this would impose on EAS Participants. Use of NPT will avoid confusion and quell the fears of those who believe that it is unsafe to use the live code. The national test in 2011 revealed a number of issues and concerns with delivery of an EAN. A number of these issues dealt with message delivery to the end broadcaster. SBE would recommend that the NPT code be used to debug any issues that exist in the current system. The NPT code should be modified to emulate a full EAN with an appropriate termination code for this purpose. SBE would recommend that the message contain information such as a brief four second tone followed by three seconds of silence. This test sequence would allow for an NPT test to be run in an automated manner and later be analyzed for overall quality and receiveability. This would save the broadcaster time as the system is being debugged.

4. At paragraph 24 of the Notice, the Commission proposes the use of an electronic reporting system to facilitate filing of EAS test result data. Such would permit the obtaining by the participant of an electronic filing receipt to provide verification that the EAS participant has

submitted its report. Thus, the Notice proposes to create and include in the EAS rules the EAS Test Reporting System (ETRS) as the primary EAS reporting system, and to require that all EAS participants submit nationwide EAS test result data electronically via the ETRS for any future national EAS tests. EAS participants would have to file ETRS Form One ² within one year of the effective date of revised EAS rules. SBE generally supports this proposal. Every radio station around the country should have the ability to access a computer that could be easily used for this purpose and it will streamline and reduce costs of EAS compliance if the ETRS is implemented. SBE recommends that the commission adopt the auto insertion of data as suggested in the NPRM. Auto insertion of data would save the user time by not having to re-enter repetitive data. The system should allow for an individual to easily correct such data.

5. In form one part two, SBE recommends that latitude and longitude data be entered as separate fields. SBE also recommends that an additional field be added to indicate whether the data being entered in these fields is using NAD 27 or some other datum. At the very least, the data in these fields needs to be made uniform. It is also recommended that form one part three allow for contact information related to the person making such data entries. Such contact information would include the ability to contact this person. With respect to form two, it is not practical for a broadcast station to know who the recipients of their public broadcast signal are. Therefore, the second question on the form should be replaced with the following question: “Did your station successfully retransmit the complete test event?” SBE would also recommend that all ETRS data be kept in a manner that is not directly accessible to the public but is accessible to

²The ETRS adopted for the 2011 Nationwide EAS Test used three web-based forms: Form One asked each EAS Participant for identifying and background information, including EAS designation, EAS monitoring assignments, facility location, equipment type, and contact information, and other relevant data. Form Two asked each EAS Participant whether it received the Nationwide EAS Test alert code and, if required to do so, whether the EAS Participant propagated the alert code downstream. Form Three asked each EAS Participant to submit detailed information regarding its receipt and propagation, if applicable, of the alert code, including an explanation of any complications in receiving or propagating the code.

the broadcaster and other EAS personnel, perhaps through the use of an FRN to log in and review such data. The login user should be able to view the complete data set as such information may be useful to that user (for example to determine who the recipients of their signal were during a test).

6. At paragraph 55 of the Notice, the Commission clarifies that its rules require that an EAN must be broadcast “immediately” upon receipt. This clarification will obviate an event that occurred in the 2011 test due to the fact that FEMA erroneously included a Time of Release code three minutes after the scheduled start time of the test, which caused delay to EAS message propagation. The Commission’s rules clearly required that the EAN must be transmitted upon receipt and not on the Time of Release. SBE agrees that any delay in processing an EAN undermines its value in an emergency and that retransmitting an EAN alert immediately upon receipt is the only possible method to transmit alerts uniformly and consistently. As stated above, NPT should be treated in a like manner.

Therefore, for the reasons discussed herein, SBE respectfully requests that the Commission proceed with proposed EAS rule changes in a manner consistent with these comments, and not otherwise.

Respectfully submitted,

THE SOCIETY OF BROADCAST ENGINEERS, INC.

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