

SBE White Paper on Trucker TV

"Trucker TV" is a term coined by SBE for the proposal by Clarity Media Systems, LLC ("Clarity") for Part 78 Cable Television Relay Service (CARS) base stations operating in the re-farmed 2,025–2,110 MHz TV Broadcast Auxiliary Services (BAS) band. Clarity's proposal would create a series of low power base stations at truck stops owned by Flying J. Clarity is a wholly owned subsidiary of Flying J. Flying J, in turn, is one of three major operators of truck stops (aka "travel plazas") in the U.S. According to the Flying J web site there are currently 221 Flying J travel plazas.

Clarity has proposed initially constructing Trucker TV base stations at ten of these sites:

Blacksburg, SC

Carmel Church, VA

Fairview, TN

Frazier Park, CA

Graham, NC

North Salt Lake City, UT

Ogden, UT

Rapid City, SD

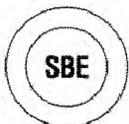
St. Lucie, FL

Waco, TX

However, Clarity's filings have made it clear that it plans to eventually equip most, if not all, of its truck stops with Trucker TV base stations. Because the owners of competing truck stops would presumably also want to be allowed to operate Trucker TV base stations, as well as the owners of recreational vehicle (RV) parks, the number of Trucker TV base stations could conceivably be in the thousands.

Because Trucker TV base stations would use fourteen 6-MHz wide digital channels, occupying 99% of the re-farmed 2 GHz TV BAS band, and would also employ an omni-directional transmitting antenna, these stations would pose an interference threat to electronic news gathering (ENG) operations, even at their relatively low EIRP of 37 dBm per channel (equivalent to 40 dBm EIRP in a 12-MHz wide TV BAS channel).

As a result of this threat to TV BAS spectrum, SBE became involved. SBE first opposed Clarity's WD2XPK experimental license, which allowed Trucker TV base stations at Frazier Park, North Salt Lake City, and Ogden. When the Commission nevertheless granted the experimental application (with a requirement that Clarity coordinate the demonstrations with SBE), Clarity then sent a unilateral notice to SBE specifying the date of first the demonstration with only a two-week lead time. When SBE requested a rescheduling of the Frazier Park demonstration, to accommodate an SBE representative's travel schedule, Clarity refused. Especially at the first, Frazier Park demonstrations, Clarity was un-cooperative and declined to allow any viewing of the transmission hardware or any independent confirmation of the actual power levels that were used. At the later North Salt Lake and



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Ogden demonstrations Clarity was somewhat more cooperative, but there was still a lack of full disclosure regarding the actual power levels used.

The WD2XPK experimental authorization required Clarity to submit a report of the results of its Trucker TV demonstrations; Clarity did so, on January 4, 2006. SBE reviewed that report and, on March 14, 2006, filed a rebuttal letter with OET, disputing many of the claims made by Clarity in its six-month experimental report.

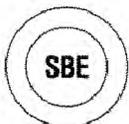
This nevertheless did not keep Clarity from filing for an initial universe of ten Trucker TV base stations. Clarity filed these applications as Part 78 CARS applications, even though Clarity is apparently not eligible for a CARS license, and even though the Part 78 Rules only allow mobile (TV Pickup) operations at 2 GHz. Clarity therefore had to request multiple rule waivers. As justification, Clarity claimed that long-haul truck drivers, and the operators of RVs, were an "under served" group, unable to obtain multi-channel video programming while on the road, or while parked at a truck stop.

On August 23, 2006, the Commission issued a public notice asking for comment on the Clarity CARS applications. In response, on September 22, 2006, the comment deadline, SBE filed its comments opposing the Trucker TV base stations. The SBE comments pointed out that low-profile direct broadcast satellite (DBS) receiving antennas, suitable for mounting on a truck or RV, were readily available. Some even having tracking capability, to allow DBS reception while in motion (presumably for viewing by other passengers in the truck or RV, and not by the vehicle operator). SBE also pointed out the growing availability of the Idle Aire system, designed to bring shore-based heating or cooling, AC power, Internet access, and multi-channel video programming, to truck cabs while parked at a truck stop. This then avoids the need to have truckers leave their engines running while parked. Thus, the fundamental claim made by Clarity, that truckers and RV owners were an under-served community when it came to multi-channel video programming, was debunked.

Although Clarity proposed several channels of truck-driver specific programming, SBE investigation revealed that these would not be locally-originated at each Trucker TV base station, but rather would be locally-originated at a single site, and uplinked to a DBS satellite; thus, there would be no area-specific programming which could be tailored to local road conditions or to local regulatory policies affecting truckers. Rather, a Trucker TV base station would simply re-transmit the program feed obtained by a DBS receiving antenna installed at the truck stop. Talk about spectrum *inefficient!*

The SBE comments also took issue with the Clarity proposals that it would accept any interference caused by broadcasters' TV Pickup (ENG) operations, and would install "shut down" switches at each of its Trucker TV base stations, to be activated if actual harmful interference were to be caused to higher-priority ENG operations. SBE pointed out that an ENG crew covering a news event at or near a Trucker TV-equipped truck stop might get an unwelcome reception from truckers/RV owners who experienced loss of their paid-for Trucker TV multi-channel video feed, and the mechanics of requiring TV Pickup licensees to physically visit potentially dozens of Trucker TV base stations operating in their area, find the person in charge of the shut-down switch, and convince that person to trigger the shut-down switch, would be an impractical burden.

Clarity then filed reply comments, viciously attacking the SBE comments. In response, on November 20, 2006, SBE filed its *ex parte* comments, responding to the Clarity accusations, and standing behind its earlier comments.



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Copies of all of the multiple Trucker TV-related SBE comments are, of course, posted on the SBE web site, at www.sbe.org.

In a related rulemaking, MB Docket 06-189, addressing video delivery marketplace competition, on November 29, 2006, Clarity filed comments repeating the claim in its CARS applications, namely that long-haul truck drivers, and RV owners, were an under-served community due to their (supposed) inability to receive multi-channel video programming while on the road. Accordingly, on December 29, 2006, the reply comment deadline, SBE filed its reply comments to MB 06-189, disputing this claim, and again pointing out that DBS reception by truck drivers and RV owners is readily available. Further, for long-haul truckers, there is the Idle Aire system, as well. A copy of the SBE reply comments to MB 06-189 is, of course, also available on the SBE web site.

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