

1 **COMMUNICATIONS SPECTRUM TRANSLATOR SYSTEM**

2 **CONCURRENT RESOLUTION**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Ralph Okerlund**

6 House Sponsor: Kay L. McIff

7

8 **LONG TITLE**

9 **General Description:**

10 This concurrent resolution of the Legislature and the Governor urges the federal
11 government to protect the communications spectrum that allows Utah's translator
12 system to provide free television access across the state.

13 **Highlighted Provisions:**

14 This resolution:
15 ▸ strongly urges the President of the United States and the Federal Communications
16 Commission (FCC) to not remove channels 32 to 51 from the current existing FCC
17 channels 14 to 51 Television Broadcast Authorization because of the significant
18 negative impact that action would have on off-air television reception in urban areas
19 and to off-air viewers nationwide, including rural viewers, who would be forced to
20 either pay for subscription television or go without television service.

21 **Special Clauses:**

22 None

23

24 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

25 WHEREAS, the President of the United States has directed the Chairman of the Federal
26 Communications Commission (FCC) to consider removing channels 32 to 51 from the current
27 FCC channels 14 to 51 Television Broadcast Authorization;

28 WHEREAS, this action would devastate off-air television reception to urban areas and
29 also cause disruption to off-air viewers nationwide;

30 WHEREAS, according to FCC records as listed in FCC MD Docket No. 03-185 (FCC
31 10-172), page 26, dated September 17, 2010, 4,518 television translator stations, 567 Class A
32 LPTV stations, 2,227 LPTV stations, and 11 TV Booster stations are now on file;

33 WHEREAS, according to FCC records, over 4,500 television translator stations
34 presently provide free over-the-air television to rural communities throughout the nation;

35 WHEREAS, if this channel repacking were to become a reality, many of these
36 translator stations would no longer remain in operation, requiring viewers to subscribe to either
37 cable or satellite programming;

38 WHEREAS, Utah has 649 of these television translator stations, and the state's rural
39 viewers would be forced to either pay for subscription television or have no television
40 reception;

41 WHEREAS, after 40 years of analog broadcasting, the United States Congress
42 mandated the broadcasting industry to make a conversion from analog to digital operation;

43 WHEREAS, supplying the general public with free over-the-air digital television
44 broadcast signals has been encouraged by elected officials and the FCC;

45 WHEREAS, since the mandate, all TV Translator and LPTV licensees in the state of
46 Utah have planned, acquired necessary funding, provided engineering, labor, construction,
47 travel, new and upgraded buildings, air-conditioning, new towers, crane services, and extensive
48 FCC licensing to help make the DTV transition possible;

49 WHEREAS, through cooperation of the state's counties, the University of Utah, the
50 state of Utah, and the Federal Communications Commission, the DTV transition has been
51 made possible;

52 WHEREAS, the state of Utah has supported the DTV transition through four CIB
53 grants since 2005 in the amount of nearly \$9,000,000;

54 WHEREAS, the University of Utah has supported the DTV transition with a recent
55 federal grant of approximately \$2,000,000;

56 WHEREAS, Congress developed and funded the coupon program at \$1,500,000,000
57 for a digital to analog converter box program;

58 WHEREAS, the NTIA, a division of the federal government, currently offers all TV
59 translator and LPTV licensees a reimbursement program for the digital to analog conversion;

60 WHEREAS, small rural cable companies are beginning to use digital TV translator
61 signals for their systems free of charge instead of paying for satellite feeds;

62 WHEREAS, repacking would cause eight Salt Lake City primary television stations to
63 find new channels, causing unaffordable consequences to both urban and rural communities in
64 the state of Utah;

65 WHEREAS, it would be impossible to continue the "Utah Daisy Chain" rural digital
66 television translator services if the proposed block of television channels were reclaimed by the
67 FCC, and this action would have a negative local economic impact to the affected counties;

68 WHEREAS, broadcasters are required by the FCC to participate in the National
69 Emergency Alert System and are also required to make regular tests to assure their systems are
70 always ready to broadcast any local warnings, including flood conditions, high wind warnings,
71 and bad road conditions, and these warnings are automatically retransmitted through television
72 translator stations to also alert rural viewers;

73 WHEREAS, closed captioning for the deaf is also a mandatory requirement of primary
74 broadcast stations and automatically passes through television translators to rural viewers;

75 WHEREAS, if these viewers do not have access to any local free over-the-air broadcast
76 signals, they proceed without local warnings or closed captioning for the deaf;

77 WHEREAS, counties in Utah are presently licensed with the FCC for 649 digital
78 television translators, or 35%, of the nation's digital television translator licenses;

79 WHEREAS, an additional 173 applications are waiting for final approval at the FCC,
80 and when they are awarded, additional digital channels will be available to the remaining few
81 underserved rural Utah communities;

82 WHEREAS, the FCC recently passed a rule to allow anyone to operate unlicensed
83 signals on unused channels within the present television bands, while the FCC still requires
84 television translator stations to be licensed in these same bands;

85 WHEREAS, these unlicensed devices will cause interference to existing digital

86 television services nationwide, and many television translator viewers will possibly be
87 vulnerable with unacceptable interference because they receive their home signals far beyond
88 the FCC protected contours; and

89 WHEREAS, the federal government should ensure that rural communities in Utah and
90 throughout the nation are not forced to either pay for subscription television service or go
91 without television:

92 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
93 Governor concurring therein, strongly urge the President of the United States and the Federal
94 Communications Commission (FCC) to not remove channels 32 to 51 from the current existing
95 FCC channels 14 to 51 Television Broadcast Authorization because of its negative impact on
96 off-air television reception in urban areas and to off-air viewers nationwide, including rural
97 viewers, who would be forced to either pay for subscription television or go without television
98 service.

99 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of
100 the United States, the Majority Leader of the United States Senate, the Speaker of the United
101 States House of Representatives, the Chairman of the Federal Communications Commission
102 and each commission member, and to the members of Utah's congressional delegation.