



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

September 16, 2022

The Honorable Yvette D. Clarke
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, DC 20515

Dear Representative Clarke:

Thank you for your letter regarding the pending proceeding at the Federal Communications Commission that seeks comment on whether to modify our rules to allow FM broadcast stations to use FM booster stations to air geo-targeted content. I appreciate the opportunity to respond.

In order to enhance the agency's technical understanding of this technology, the Media Bureau granted stations experimental authority to conduct tests in radio markets in Mississippi and California. It also required that those stations submit reports regarding the tests into the record of the proceeding. The reports include detailed technical discussions about the operation of the booster technology, its compatibility with the Emergency Alert System, and its impact on digital FM broadcasts. On April 18, 2022, the Bureau issued a Public Notice seeking comment on the results of these tests, as well as any additional information submitted after the original comment periods closed on March 12, 2021. The period for comment on the Public Notice closed on June 21, 2022. The Media Bureau staff currently is reviewing the record and developing recommendations for the full Commission's consideration. I have asked the Bureau to insert your letter in the docket of the proceeding so your views will be fully considered.

Your letter focuses on concerns about the impact of this technology on communities of color, low-income listeners and immigrant communities; the potential for this technology to cause interference; and the impact of this technology on critical public safety information. These are important issues that are the subject of comments by many stakeholders in this proceeding. With regard to your specific concerns about the potential for discrimination if stations are allowed to use targeted advertising, GeoBroadcast Solutions (GBS), and other proponents of this technology, including small and minority broadcasters, assert that this technology will help minority and low-income communities by reducing the cost of advertising and providing opportunities for new advertising entrants that were previously priced out of the market and more diverse and targeted programming and advertising. The opponents of geo-targeted broadcasts have filed comments questioning the validity of claims that this technology will provide new opportunities for minorities and new entrants and raised concerns about the ability of broadcasters to use this technology to focus certain programming and advertising only on affluent areas. Before moving forward, the Commission will carefully review the potential impact of this technology, including whether our existing rules provide any protections that would apply to this technology.

As you note, protecting existing services from harmful interference is essential. GBS asserts that its testing program has demonstrated its technology can be implemented without causing interference to existing broadcast services or public safety services such as emergency alerts. Additionally, GBS and its supporters believe that the voluntary nature of the technology ameliorates interference concerns because stations will not want to cause interference to their own signals. The commenters opposing this technology have asserted that GBS optimized its test program and that the tests do not show the real world impact this technology will have on existing broadcasts or public safety information. Those commenters have either called for additional testing or asked the Commission to reject the proposal to use this technology. Media Bureau staff are carefully reviewing GBS' interference test results, the listener impact studies submitted by the National Association of Broadcasters and National Public Radio, as well as the comments of others regarding the interference issues raised in the docket.

Finally, with regard to the potential impact to critical public safety information, the Commission specifically asked for comments in the original Notice of Proposed Rulemaking about how the technology would affect the Emergency Alert System. The Federal Emergency Management Agency (FEMA) filed comments expressing concern that interference between a booster station and the primary station could cause listeners within a geographic transition zone to miss all or part of an Emergency Alert System message and that the record had little discussion about how to prevent a booster from originating programming during an Emergency Alert System message (or resuming the primary station programming in the middle of an Emergency Alert System message). GBS responded to these concerns by asserting that their testing in Mississippi showed synchronization of the programming between the booster and the primary station would minimize any impact on Emergency Alert System transmissions. Other commenters, such as NAB and several broadcasters, have asserted that the Mississippi test did not adequately test the potential interference between the booster and the primary station, thereby minimizing the impact on Emergency Alert System messages. Given the importance of Emergency Alert System messages to the public, the Media Bureau is carefully considering the public safety implications and determining what steps could be taken to mitigate concerns raised by FEMA and others.

As the concerns raised in the docket and in your letter make clear, this proceeding presents a range of complicated issues. Please be assured that, as we work through the comments and data submitted in this proceeding and determine our next steps, the Commission takes seriously our role in protecting against harmful interference and ensuring access to essential public safety information through the Emergency Alert System. I hope this is helpful. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jessica Rosenworcel", with a long horizontal flourish extending to the right.

Jessica Rosenworcel



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF THE
CHAIRWOMAN

September 16, 2022

The Honorable Darren Soto
U.S. House of Representatives
2058 Rayburn House Office Building
Washington, DC 20515

Dear Representative Soto:

Thank you for your letter regarding the pending proceeding at the Federal Communications Commission that seeks comment on whether to modify our rules to allow FM broadcast stations to use FM booster stations to air geo-targeted content. I appreciate the opportunity to respond.

In order to enhance the agency's technical understanding of this technology, the Media Bureau granted stations experimental authority to conduct tests in radio markets in Mississippi and California. It also required that those stations submit reports regarding the tests into the record of the proceeding. The reports include detailed technical discussions about the operation of the booster technology, its compatibility with the Emergency Alert System, and its impact on digital FM broadcasts. On April 18, 2022, the Bureau issued a Public Notice seeking comment on the results of these tests, as well as any additional information submitted after the original comment periods closed on March 12, 2021. The period for comment on the Public Notice closed on June 21, 2022. The Media Bureau staff currently is reviewing the record and developing recommendations for the full Commission's consideration. I have asked the Bureau to insert your letter in the docket of the proceeding so your views will be fully considered.

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As you note, protecting existing services from harmful interference is essential. GBS asserts that its testing program has demonstrated its technology can be implemented without causing interference to existing broadcast services or public safety services such as emergency alerts. Additionally, GBS and its supporters believe that the voluntary nature of the technology ameliorates interference concerns because stations will not want to cause interference to their own signals. The commenters opposing this technology have asserted that GBS optimized its test program and that the tests do not show the real world impact this technology will have on existing broadcasts or public safety information. Those commenters have either called for additional testing or asked the Commission to reject the proposal to use this technology. Media Bureau staff are carefully reviewing GBS' interference test results, the listener impact studies submitted by the National Association of Broadcasters and National Public Radio, as well as the comments of others regarding the interference issues raised in the docket.

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