



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF THE  
CHAIRWOMAN

December 15, 2022

The Honorable Robin L. Kelly  
U.S. House of Representatives  
2416 Rayburn House Office Building  
Washington, DC 20515

Dear Representative Kelly:

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.

As you note, GeoBroadcast Solutions' (GBS) proposal is to allow stations to insert differentiated programming no more than three minutes per hour, which GBS indicates would allow stations to provide more diverse and targeted programming and advertising. Additionally, GBS states in the record that adoption of the technology would be on a voluntary basis and that it could help smaller broadcasters by bringing in more revenue through the additional targeted advertising. Further, 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. The opponents of geo-targeted broadcasts have filed comments questioning claims that this technology will provide new opportunities for minorities and new entrants. They also have expressed concern that the three minute limit will be expanded so that boosters are used primarily or exclusively to originate programming, making boosters independent stations. In addition, they have raised concern 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 or not our existing rules provide protections that would apply to this technology.

I will also note that 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. Furthermore, 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. The Media Bureau staff is 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.

As the concerns raised in the docket 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 protecting against harmful interference and ensuring access to essential public safety information. 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