

1 COMMUNICATIONS SPECTRUM TRANSLATOR SYSTEM

2 CONCURRENT RESOLUTION

3 2016 GENERAL SESSION

4 STATE OF UTAH

5 Chief Sponsor: Ralph Okerlund

6 House Sponsor: Kay L. McIff

7 Cosponsors: David P. Hinkins Evan J. Vickers

8 J. Stuart Adams Kevin T. Van Tassell

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10 LONG TITLE

11 General Description:

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

15 Highlighted Provisions:

16 This resolution:

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

23 Special Clauses:

24 None

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

27 WHEREAS, the word "translator," as selected by the Federal Communications  
28 Commission (FCC) in 1955, refers to the rebroadcast of a primary television station channel to

29 a different output channel;

30 WHEREAS, through the years, many people have misunderstood this broadcasting term  
31 to mean translating a language;

32 WHEREAS, the purpose and function of a television translator is to provide citizens of  
33 rural communities with access to television reception equivalent to what is available for urban  
34 citizens;

35 WHEREAS, the rebroadcast of a primary television station channel to a different output  
36 channel was designated a "secondary service" to a full power television primary station only;

37 WHEREAS, through many commercial lobbying efforts, this "secondary service" status  
38 has been reduced to being secondary to almost any other communications service;

39 WHEREAS, the President of the United States has directed the Chair of the FCC to  
40 consider removing channels 32 through 51 from the current FCC channels 14 through 51  
41 Television Broadcast Authorization;

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

44 WHEREAS, according to FCC records dated January 8, 2016, 3,604 television  
45 translator stations, 417 Class A Low Power Television (LPTV) stations, 1,822 LPTV stations,  
46 and 4 television booster stations are now on file;

47 WHEREAS, according to FCC records, over 3,600 television translator stations  
48 presently provide free over-the-air television to rural communities throughout the nation;

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

52 WHEREAS, Utah has 778 television translator stations, and the state's rural viewers  
53 would be forced to either pay for subscription television or have no television reception;

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

56 WHEREAS, supplying the general public with free over-the-air digital television

57 broadcast signals has been encouraged by elected officials and the FCC;

58 WHEREAS, since the mandate, all television translator and LPTV licensees in the state  
59 of Utah have engaged in planning, acquiring necessary funding, providing necessary  
60 engineering with labor, construction, and travel, constructing new buildings, upgrading existing  
61 buildings with air-conditioning, utilizing crane services to erect new towers, and completing  
62 extensive FCC licensing to help consummate the digital television (DTV) transition;

63 WHEREAS, through cooperation of the state's counties, the University of Utah, the  
64 state of Utah, and the FCC the DTV transition has been made successful;

65 WHEREAS, the state of Utah has supported the DTV transition through four  
66 Community Impact Board grants since 2005 in the amount of nearly \$9,000,000;

67 WHEREAS, the University of Utah supported the DTV transition with a federal grant  
68 of approximately \$2,000,000;

69 WHEREAS, the National Telecommunications and Information Administration, a  
70 division of the federal government, offered all television translator and LPTV licensees a  
71 reimbursement program for the digital to analog conversion;

72 WHEREAS, small rural cable companies are using digital television translator signals  
73 for their systems free of charge instead of paying for satellite feeds;

74 WHEREAS, repacking would cause eight Salt Lake City primary television stations to  
75 find new channels, causing significant consequences to both urban and rural communities in  
76 the state of Utah;

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

80 WHEREAS, in many rural areas of Utah and all across the nation, the spectrum above  
81 channel 51 sits vacant and unused;

82 WHEREAS, small rural areas are not economically attractive to large Internet business  
83 enterprises seeking more spectrum;

84 WHEREAS, the needs of urban areas are far different from the needs of small rural

85 communities and are a classic example of "one size does not fit all";

86 WHEREAS, broadcasters are required by the FCC to participate in the national  
87 Emergency Alert System and are also required to make regular tests to assure their systems are  
88 always ready to broadcast any local warnings, including flood conditions, high wind warnings,  
89 and bad road conditions, and these warnings are automatically retransmitted through television  
90 translator stations to alert rural viewers;

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

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

95 WHEREAS, counties in Utah are presently licensed with the FCC for 778 digital  
96 television translators, or 30%, of the nation's digital television translator licenses;

97 WHEREAS, the FCC seeks to allow anyone to operate unlicensed signals on unused  
98 channels within the present television bands, while the FCC still requires television translator  
99 stations to be licensed in these same bands;

100 WHEREAS, these unlicensed devices will cause interference to existing digital  
101 television services nationwide, and many television translator viewers will possibly be  
102 vulnerable to unacceptable interference because they receive their home signals far beyond the  
103 FCC protected contours; and

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

107 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
108 Governor concurring therein, strongly urges the President of the United States and the FCC to  
109 not remove channels 32 through 51 from the current existing FCC channels 14 through 51  
110 Television Broadcast Authorization because of its negative impact on off-air television  
111 reception in urban areas and off-air viewers nationwide, including rural viewers, who would be  
112 forced to either pay for subscription television or go without television service.

113           BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of  
114 the United States, the Majority Leader of the United States Senate, the Speaker of the United  
115 States House of Representatives, the Chair of the FCC and each commission member, the  
116 National Telecommunications and Information Administration, and the members of Utah's  
117 congressional delegation.