

¶ Approved for Filing: R. Frost ¶

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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 **LONG TITLE**

8 **General Description:**

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

12 **Highlighted Provisions:**

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

20 **Special Clauses:**

21 None

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

23 WHEREAS, the word "translator," as selected by the Federal Communications
24 Commission (FCC) in 1955, refers to the rebroadcast of a primary television station channel to
25 a different output channel;



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

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

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

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

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

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

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

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

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

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

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

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

56 WHEREAS, since the mandate, all television translator and LPTV licensees in the state
57 of Utah have engaged in planning, acquiring necessary funding, providing necessary
58 engineering with labor, construction, and travel, constructing new buildings, upgrading existing

59 buildings with air-conditioning, utilizing crane services to erect new towers, and completing
60 extensive FCC licensing to help consummate the digital television (DTV) transition;

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

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

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

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

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

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

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

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

80 WHEREAS, small rural areas are not economically attractive to large internet business
81 enterprises seeking more spectrum;

82 WHEREAS, the needs of urban areas are far different from the needs of small rural
83 communities and are a classic example of "one size does not fit all";

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

89 WHEREAS, closed captioning for the deaf is also a mandatory requirement of primary

90 broadcast stations and automatically passes through television translators to rural viewers;

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

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

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

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

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

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

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

Legislative Review Note**Office of Legislative Research and General Counsel**