

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of:

<b>Review of the Emergency Alert System;</b>	)	
	)	<b>EB Docket No. 04-296</b>
	)	
<b>Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief;</b>	)	
	)	
<b>Randy Gehman Petition for Rulemaking</b>	)	
	)	

To the Commission:

**Reply to Comments Concerning the  
Third Further Notice of Proposed Rulemaking  
in  
Review of the Emergency Alert System**

## Discussion

We are requesting that the FCC extend the deadline for the implementation of the EAS - CAP system. We agree with the comments of the Broadcast Warning Working Group in referring to the September 30, 2011, deadline for EAS - CAP systems to be operational by EAS participants saying that:

**“It seems very important to the BWVG that the Commission, by granting a further postponement of 180 days, could give volunteer and external emergency management warning stakeholders very much needed time to, as the saying goes, get our respective public/private local and state acts together.”<sup>1</sup>**

The State Broadcasters Associations stated the following:

**“State Broadcasters Associations representing the 50 states, the District of Columbia and the Commonwealth of Puerto Rico agree with the NAB that the FCC should extend by 180 days the deadline by which broadcasters must be able to accept Common Alerting Protocol-EAS messages. Noting that the original March 29 deadline was extended to Sept. 30, the state associations told the commission in public comments filed this week that the first CAP extension was sought ‘because it was not then known whether the FCC would institute a parallel certification process for the equipment that would be needed to fully comply with the CAP deadline. That uncertainty has not gone away.’”<sup>2</sup>**

**“[Broadcasters have] found it difficult to acquire type-accepted CAP equipment at a reasonable price due to the lack of meaningful competition between the very few manufacturers who have type-accepted equipment.”<sup>3</sup>**

The National Association of Broadcasters commented:

**“There is also the continuing uncertainty as to whether the commission will implement its own equipment certification testing program, separate from FEMA’s conformance testing, or whether the commission may revise its Part 11 rules in a way that requires manufacturers to change their design specs, or perhaps even require stations that have already purchased**

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<sup>1</sup> Comments of the Broadcast Warning Working Group, Deadlines, EAS Committees and External Emergency Management Warning Stakeholders, EB Docket 04-296, Page 8

<sup>2</sup> Radio World - State Broadcast Associations Seek CAP-EAS Delay – 07/22/2011

<sup>3</sup> Ibid

**updated EAS gear to refurbish their equipment in some way. NAB believes it's also appropriate to extend the deadline because 'the large majority of EAS message originators,' like state and local authorities, 'will not be prepared to send a CAP-enabled message for the foreseeable future.'**<sup>4</sup>

It seems that a number of organizations are having problems obtaining equipment. Original equipment manufacturers have been slow to deliver equipment because of manufacturing delays, regulations, and type acceptance issues. The Society of Broadcast Engineers – Chapter 16 reports:

**"[The] deadline is being hampered by the delay in the equipment certification process and the ability of equipment manufacturers to deliver for installation by the September date. There is also the question of local and state EAS message originators ability to generate the new CAP emergency messages."**<sup>5</sup>

## Conclusion

We feel that it is necessary to give EAS participants more time to obtain an integrate systems as well as educate personnel in the proper use and operation of such equipment. We urge the Commission to accept and act prudently on this Reply to Comments concerning the Review of the EAS System.

Respectfully Submitted;

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<sup>4</sup> Radio World - NAB Asks FCC to Delay CAP-EAS Deadline – 07/22/2011

<sup>5</sup> "From the Editor" – SBE Chapter 16 – Seattle, Washington – 08/04/2011

<sup>6</sup> Membership through Reach Communications, Inc.