

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554

In the Matter of )  
 )  
The Commercial Mobile Alert System ) EB Docket No. 04-296  
 )  
 )  
 )  
 )  
To: The Commission

**COMMENTS OF THE NATIONAL ASSOCIATION OF BROADCASTERS  
AND THE ASSOCIATION FOR MAXIMUM SERVICE TELEVISION, INC.**

The National Association of Broadcasters (“NAB”)<sup>1</sup> and the Association for Maximum Service Television, Inc. (“MSTV”)<sup>2</sup> submit these brief comments in response to the Commission’s *Notice of Proposed Rulemaking* in the above-captioned proceeding.<sup>3</sup> NAB and MSTV appreciate the Commission’s efforts to facilitate and modernize public warning systems in the event of national, state and local emergencies and, in doing so, retain the Emergency Alert System (“EAS”) as the backbone of a national warning system in the public interest. Recent natural disasters such as the California wildfires and floods highlight the need for a digital, robust, and reliable system for dissemination of emergency information during such events. Broadcasters have

---

<sup>1</sup> NAB is a nonprofit trade association that advocates on behalf of more than 8,300 free, local radio and television stations and also broadcast networks before Congress, the Federal Communications Commission, the Courts, and other federal agencies.

<sup>2</sup> MSTV is a nonprofit trade association of local broadcast television stations committed to achieving and maintaining the highest technical quality of the local broadcast system.

<sup>3</sup> *In the Matter of The Commercial Mobile Alert System*, PS Docket No. 07-287, S Notice of Proposed Rulemaking, FCC 07-214 (rel. Dec.14, 2007) (“*Notice*”).

been enthusiastic and energetic participants in EAS. Further, through the use of live news coverage, public affairs programs, and public service announcements, they have provided in depth access to critical, and often life-saving, information. Broadcasters are committed to working with federal, state, and local officials to explore ways to enhance this service, including its use in conjunction with Commercial Mobile Alert System (“CMAS”) and other next-generation public warning systems.

Specifically, the Commission should ensure that, on a going forward basis, local, state and federal emergency managers initiate an emergency message that can be readily disseminated across multiple platforms, be it the CMAS or EAS, or additional platforms. Indeed, adoption of the Common Alerting Protocol (“CAP”), which broadcasters support,<sup>4</sup> could ensure that multiple warning systems that may not share the same infrastructure architecture can nevertheless distribute an identical public warning message.

The Commission queries whether it should mandate compatibility of CMAS and EAS. See *Notice* at ¶ 42. CMAS, however, as embodied in the Commercial Mobile Service Alert Advisory Committee’s Report (“*CMSAAC Report*”) attached to the *Notice*, was developed to meet certain specific needs of the wireless mobile industry and, as such, is not compatible with the existing EAS. For example, CMAS limits its text message size to 90 characters. See *CMSAAC Report* at section 1.1.1. EAS has no such limit. Also, for broadcasters, an EAS message flows via a connection between local emergency managers and local broadcasters. The CMAS architecture would route

---

<sup>4</sup> See *In the Matter of Review of the Emergency Alert System*, EB Docket No. 04-296, *Comments of NAB at 3 (Dec. 3, 2007)*

all messages through a complex national distribution system that may add latency and, as the *Notice* points out, very well might be a single point of failure. See *Notice* at ¶ 13. Thus, there are inherent architectural differences that cannot be readily reconciled.

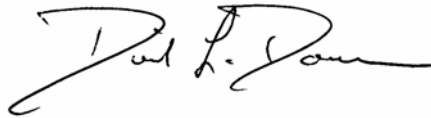
Although the two systems are not directly compatible, they can co-exist as complementary components of a “National Alert System” as envisioned by the President. See *Public Alert and Warning System*, Exec. Order No. 13,407, 71 Fed. Reg. 36975 (2007), § 3 (b) (iii). The unifying element is both systems’ ability to transport and decode messages based on CAP version 1.1. NAB and MSTV therefore believe that it is unnecessary for the Commission to mandate compatibility between CMAS and EAS. See *Notice* at ¶ 42. Rather, the Commission should work with Federal Emergency Management Agency (“FEMA”) to ensure that the two systems can effectively coexist.

Further, we urge the Commission to consider utilizing Radio Broadcast Data System for distributing emergency warnings to mobile phones, Personal Digital Assistants and other devices that are equipped with FM receiver chips. See *Notice* at ¶ 10. Utilizing CAP 1.1, this system could provide an efficient means for distributing emergency warnings to a targeted audience.

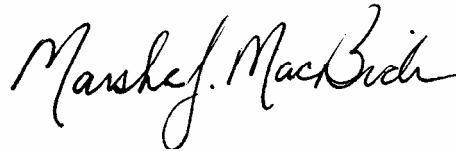
NAB and MSTV look forward to working with FEMA and the Commission to ensure that as public warning is modernized to include multiple platforms, the mechanics by which local, state or national emergency managers originate messages can be streamlined. Simply stated, in times of crisis, originating a single message in

CAP that can be disseminated across multiple platforms ensures timely and accurate dissemination to the American public.

Respectfully submitted,



David L. Donovan  
**ASSOCIATION FOR MAXIMUM  
SERVICE TELEVISION, INC.**  
4100 Wisconsin Avenue, NW  
Washington, D.C. 20016  
(202) 966-1956



Marsha J. MacBride  
Jane E. Mago  
Ann West Bobeck  
Kelly Williams  
**NATIONAL ASSOCIATION OF BROADCASTERS**  
1771 N Street, NW  
Washington, D.C. 20036  
(202) 429-5430

February 5, 2008