

February 12, 2008

**BY ELECTRONIC FILING**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th St., S.W.  
Washington, DC 20554

**Re: In the Matter of Amendment of Section 90.20(e)(6) of the  
Commission's Rules, WT Docket No. 06-142, RM-11135  
Ex Parte Letter**

Dear Ms. Dortch:

The Association for Maximum Service Television, Inc. ("MSTV") writes to urge the Commission to safeguard Channel 7 operations and to reject the flawed proposals of LoJack Corporation ("LoJack") with respect to Section 90.20(e)(6) of the Commission's rules. Broadcasters use Channel 7 to provide the viewing public with over-the-air television programming, including emergency information, news, and entertainment programming, as well as emergency alerts. LoJack's proposals would compromise broadcasters' ability to provide these services to the public, thereby undermining public safety and the public interest.<sup>1</sup>

The viewing public relies on local broadcasters to provide timely and complete information during emergencies. For example, broadcasters provide information on weather emergencies (*e.g.*, tornadoes, hurricanes, floods, and fires) and critical conditions in the community (*e.g.*, toxic gas discharges, industrial explosions, and power failures). In addition to

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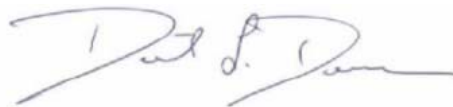
<sup>1</sup> H.R. 1, to which LoJack refers in its recent *ex parte* presentation, is not relevant to the Commission's decision. See Ex Parte Presentation of LoJack, WT Docket No. 06-142, RM-11135 (filed Jan. 29, 2008). Section 1554 directs the Secretary of Homeland Security, through the Transportation Security Administration, to develop a motor carrier hazardous material tracking program. This provision does not require that the tracking program make use of the Stolen Vehicle Recovery Service ("SVRS") spectrum. Indeed, the provision does not even refer to the FCC (or to LoJack).

notifying viewers of the existence of the emergency, broadcasters provide other essential information, including evacuation routes and instructions and ways to take shelter.<sup>2</sup>

Broadcasters are also essential participants in the Emergency Alert System (“EAS”). The Commission has observed that “[a]n accurate, wide-reaching public alert and warning system is critical to the public safety and a vital part of the Commission’s core mission to promote the safety of life and property through a robust communications system.”<sup>3</sup>

The sweeping package of changes that LoJack has requested would raise a serious risk of interference to Channel 7 television operations, including the emergency information and EAS services described above.<sup>4</sup> Current limitations on power, duty cycles, use of digital emissions, and permissible services, as well as the Channel 7 interference study requirement, are critical means of protecting television broadcasting on Channel 7. MSTV respectfully requests that the Commission prevent harmful interference to Channel 7 television operations – and ultimately, harm to public safety – by rejecting LoJack’s proposals.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "David L. Donovan".

David L. Donovan, President

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<sup>2</sup> See 47 C.F.R. § 79.2.

<sup>3</sup> See Review of the Emergency Alert System, EB Docket No. 04-296, *First Report and Order and Further Notice of Proposed Rulemaking*, 20 FCC Rcd 18625, 18651, at para. 62 (2005). See also Review of the Emergency Alert System, EB Docket No. 04-296, *Second Report and Order and Further Notice of Proposed Rulemaking* (2007) (taking steps to create a “next-generation” EAS).

<sup>4</sup> See Joint Comments of MSTV and the National Association of Broadcasters (“NAB”), WT Docket No. 06-142, RM-11135 (filed Sept. 22, 2006); see also Joint Reply Comments of MSTV and the NAB, WT Docket No. 06-142, RM-11135 (filed Oct. 10, 2006).