



PUBLIC NOTICE

Federal Communications Commission
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DA 03-622
RM-10666
March 6, 2003

**MEDIA BUREAU SEEKS COMMENT ON NATIONAL TRANSLATOR
ASSOCIATION'S PETITION FOR RULEMAKING
TO ESTABLISH A RURAL TRANSLATOR SERVICE**

Comments Due: 60 days from publication in the Federal Register
Reply Comments Due: 90 days from publication in the Federal Register

On November 6, 2002, the National Translator Association (NTA) filed a Petition for Rulemaking, pursuant to section 1.401 of the Commission's rules, requesting that the Commission amend its rules to establish a "Rural Translator Service." NTA asserts that implementation of this service will help to ensure the delivery of broadcast services to rural areas. According to NTA, the Commission's goals of transitioning broadcast television from analog to digital service, providing for availability and attendant benefits of high definition television, and providing for free over-the-air broadcast television, both commercial and non-commercial, can only be accomplished in rural areas by the use of translator stations. Among other things, NTA proposes that in order for an applicant to apply in this "Rural Translator Service," it must propose a translator that can provide a signal to an area in which its residents are unable to receive at least four "free" primary over-the-air television signals, based on a combination of predictive methods. For areas outside the predicted Grade B contour of a television station, the NTA would presume that no service is received. For areas within a predicted Grade B contour, applicants would be permitted to use the "Longley Rice Terrain Dependant Population Count" and the methods prescribed in the FCC Office of Engineering and Technology Bulletin 69 ("OET 69") to show that actual service is not available. NTA also proposes to limit the effective radiated power of these stations to 1 kilowatt for UHF Translators and 100 watts for VHF Translators. The NTA proposes that applications for stations in the Rural Translator Service be processed on an expedited basis using a "one-day rolling window or day-by-day cutoff procedures for mutually exclusive applications" in lieu of the Commission's filing window procedures for the Low Power Television Service.

Pursuant to 47 C.F.R. § 1.405, interested parties may file comments no later than 60 days from publication in the Federal Register. Interested parties may file reply comments no later than 90 days from publication in the Federal Register. All responsive filings must reference the rulemaking number of this proceeding, RM-10666. Comments and reply comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.

Comments and reply comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. If multiple or rulemaking numbers appear in the caption of this proceeding, however,

commenters must transmit one electronic copy of the filing to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic copy by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message: "get form <your email address>." A sample form and directions will be sent in reply. Commenters also may obtain a copy of the ASCII Electronic Transmittal Form (FORM-ET) at <http://www.fcc.gov/e-file/email.html>.

Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Vistronix, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Regardless of whether parties choose to file electronically or by paper, parties should also file one copy of any documents filed in this Public Notice with the Commission's copy contractor, Qualex International, Portals II, 445 12th Street S.W., CY-B402, Washington, D.C. 20554 (telephone 202-863-2893; facsimile 202-863-2898) or via e-mail at qualexint@aol.com. In addition, one copy of each submission must be filed with the Video Division, Media Bureau, Attn: Bradley E. Lerner, 445 12th Street, S.W., Washington, D.C. 20554. Documents filed in this proceeding will be available for public inspection during regular business hours in the Commission's Reference Information Center, 445 12th Street, S.W., Washington, D.C. 20554, and will be placed on the Commission's Internet site.

This proceeding will be governed by "permit-but-disclose" *ex parte* procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission's rules.¹ Parties making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must contain a summary of the substance of the presentation and not merely a listing of the subjects discussed. More than a one-or two-sentence description of the views and arguments presented generally is required.² Other rules pertaining to oral and written presentations are set forth in section 1.1206(b) as well. In addition, interested parties are to file any written *ex parte* presentations in this proceeding with the Commission's Secretary, Marlene H. Dortch, 445 12th Street, S.W., TW-B204, Washington, D.C. 20554, and serve an additional copy to the Video Division, Media Bureau, Attn: Bradley E. Lerner, 445 12th Street, S.W., Washington, D.C. 20554. Parties shall also serve with one copy: Qualex International, Portals II, 445 12th Street, S.W., Room CY- B402, Washington, D.C. 20554, (202) 863-2893.

¹ 47 C.F.R. § 1.1206.

² See 47 C.F.R. § 1.1206(b)(2).

For further information, contact Bradley E. Lerner, Video Division, Media Bureau, (202) 418-7066.

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