

National Translator Association comment on the House Telecommunications Subcommittee hearing of July 24, 2014.

The auction and repacking of the television band as enshrined in the "Middle Class Tax Relief and Job Creation act of 2012" will serve to destroy a significant amount of free TV service for rural Americans by potentially breaking up entire networks of translators which for years have provided antenna TV service to rural America. In an effort to minimize the destruction, Congressman Barton (R-TX) introduced a bill, the *LPTV and Translator Act of 2014*, which was discussed in a House Telecommunications Subcommittee hearing on Thursday morning.

Members' comments and witness testimony dealt with the needs and standing of TV translator and LPTV stations with respect to the coming FCC-managed spectrum auction, authorized by the 2012 act. Two stakeholder-affiliated witnesses were present and spoke, respectively, of the effects of the proposed legislation from their particular perspective. *Surprisingly, a representative from the National Translator Association had offered to provide testimony to the subcommittee but was not included among the witnesses; thus, an important historical and consequential perspective of this matter was left undiscussed.*

The National Translator Association represents TV translators which deliver - *at no cost to their viewers* - television programming from distant major stations to small rural communities whose topography or distance from major markets prevents their residents from receiving the programs directly. Rather, they must rely on small but sophisticated and costly retransmission systems to see the programming. The systems, usually operated by small special revenue districts, public associations or community activists, serve their communities reliably with extremely limited funding and many volunteers keep them on the air.

The first use of TV translators began shortly after the beginning of broadcast television itself. When it was realized that Philadelphia TV stations could not be received in many small, remote towns in Pennsylvania, a mom-and-pop TV store devised one of the earliest rebroadcast systems to assist local towns in bringing in TV. As time passed, the movement spread west along with the development of broadcast TV itself and towns like Telluride, Fraser and Sterling, Colorado found motivated volunteers who were willing to install systems to bring in TV from Denver. Soon, similar systems in almost all states were using this exciting concept to provide over-the-air TV to all Americans, wherever they lived. This technology truly brought our nation together, helping to knit a common culture and wide public awareness of the world.

At the beginning, regulation of the translator service required TV translators to broadcast on TV channels above channel 70 and running up through channel 83. After a few years, the FCC ordered TV translators to leave these channels and move into the lower channels of 55 through 69. *The FCC had assigned channels 70-83 to non-broadcast services.* Translator stations were forced to buy new equipment, their viewers were frequently inconvenienced or disenfranchised altogether, but after a bit of a rocky period, TV translators were operating successfully on the new lower channels in most of the towns they had served previously.

Then it happened again! After a few more years, the TV translators and, by then, many low power TV stations which grew out of translators were again ordered off their channels in the 55-69 range and told to move down, preferably into lower channels. Again, the industry was forced into upheaval. Many translator districts gave up; others spent the money to accommodate the FCC's new demands.

The public in the rural areas, after two large shakeups in their TV service, began to again enjoy TV from their translators.... until lightning struck once more. Just a few years ago the FCC decided to auction off the channels above channel 51, taking the remaining channels in the 50s from the spectrum inventory, disrupting more LPTV and translator viewers. Some of these channels were sold off to wireless carriers; others still lie silent, but with no permission for TV translators to use them.

If you have been counting, that is as many as *three* evictions from their TV channels that at least some TV translator/LPTV stations *and the viewers who have come to rely on them have endured in the past forty years.*

Today, we are looking at the fourth such eviction. By now, TV translator operators and viewers know the drill all too well. From among the stations that are not forcibly evicted from the broadcast world by the auction, attrition will cost many more. Finally, the TV band size has been reduced to now contain fewer channels than are required to accommodate TV translators and LPTV stations as well as the full service stations that hold precedence over the band. Some translators and LPTV facilities are sure to fall by the wayside.

For the first time, TV translators and LPTV stations are likely to be unable to locate available TV channel space. It will all have been sold or taken by higher priority operators. In anticipation of this development, several manufacturers of translator broadcast equipment have already been frightened out of the marketplace, out of business entirely or have moved offshore, costing American jobs, because of the reduced demand for equipment thanks to much apprehension in the marketplace. Rural TV viewers who are disproportionately elderly, low income or minority will lose their service.

A uniquely important part of TV translator service is that many rural systems covering multiple communities are several channels wide and several repeats long to reach all the related communities. Over the years, the channels have been painstakingly chosen to avoid internal system interference and protect the several primary stations' input channels. The change of even one of the primary channels will require a systemwide restructuring of the entire frequency plan. The systematic FCC taking of available channels in the TV band will, in some instances, prevent such restructuring and entire translator systems will have to shut down. While the NTA would like to believe that the bill discussed today will have a favorable effect on TV translators and LPTV stations in the anticipated spectrum auction, the FCC's history with our service is all too well documented.

People who rely on ethnic, foreign language, special interest or religious programming are most affected by these losses. *Without doubt, the real stakeholders are the American people who actually own the spectrum and who need the TV services that are being continually eroded by repeated FCC actions.*

The FCC's planned spectrum auction is little more than an example of the Federal Government's declaration of "winners and losers." This sometimes overused phrase is, sadly, quite appropriate in the matter at hand. Who are these winners and losers? The winners are generally younger, affluent, urban people and the folks who sell information and entertainment services to them. The losers? These are older, moderate income, rural, frequently minority working people and the folks who, by and large, provide their free entertainment and information services.

Ultimately, the losers are all of us.... now again becoming divided by the technology which threatens a new *digital divide* and the political forces which have chosen to rapidly advance it without regard to the segments of society that will suffer. We must not leave some Americans behind in service to others.

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