In the Matter of

Broadcast Incentive Auction Comment Public Notice Auction 1000, 1001 and 1002 AU Docket No. 14-252

Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions GN Docket No. 12-268

COMMENTS OF EXPANDING OPPORTUNITIES FOR BROADCASTERS COALITION IN SUPPORT OF JOINT REQUEST FOR EXTENSION OF COMMENT AND REPLY COMMENT DEADLINES

The Expanding Opportunities for Broadcasters Coalition (the “Coalition”) respectfully submits these comments in support of the Joint Request for Extension of Comment and Reply Comment Deadlines filed by The Consumer Electronics Association, CTIA – The Wireless Association®, and the Telecommunications Industry Association (the “Petitioners”) on December 23, 2014. The Petitioners have requested a modest extension of the comment and reply comment deadlines in response to the Public Notice released on December 17, 2014 in the above-captioned proceeding, currently set for January 30, 2015 and February 27, 2015, until March 2, 2015 and March 30, 2015, respectfully. The Coalition believes that this request is in the public interest and will provide interested parties an adequate opportunity to analyze the

1 Pursuant to the Public Notice issued on December 18, 2012 (DA 12-2040), these comments represent the views of a coalition of broadcasters who own more than 80 auction-eligible stations and who desire to remain anonymous at this time. Together, the Coalition members own both full power and Class A television stations in a number of markets, including stations in several of the ten largest DMAs. The Coalition’s name and mailing address are provided in accordance with Section 1.419 of the Commission’s rules. See 47 C.F.R. § 1.419(d).

highly technical proposals in the Comment PN and address, in a meaningful manner, the important questions regarding the implementation of this complex and novel auction.³

The Commission adopted the Comment PN at its December 11, 2014 open meeting.⁴ In a press release issued that same day, the agency announced the fixed deadlines for parties to submit comments in response to the Comment PN. However, the Commission did not release the actual text of the Comment PN until almost a week later, on December 17, 2014. The Comment PN itself runs more than 150 pages, including almost 90 pages of detailed technical appendices. Despite the complexity of the Comment PN, the agency has provided interested parties, under the current schedule, with fewer than forty-five (45) days to analyze the proposals contained therein (several of which are detailed for the first time in the Comment PN) and submit their comments.

As the Petitioners observe, Auction 93 (AWS-3) remains ongoing and is highly relevant to several assumptions contained in the Comment PN. Additionally, the Commission has established deadlines in the next two months in several related proceedings, each of which will detract from the resources that interested parties can devote to developing a complete record in response to the numerous technical proposals in the Comment PN.

The Coalition intends to provide a detailed, fact-driven analysis of several of those proposals. To perform this analysis, the Coalition and its members are working with several prominent economists and auction design experts. These experts need to analyze the proposals

³ As the Commission repeatedly has recognized, the Incentive Auction actually consists of two auctions that, while interdependent, are separate. See, e.g., FCC, Incentive Auction – LEARN – Auction Design, http://wireless.fcc.gov/incentiveauctions/learn-program/auction-design.html (last visited Dec. 21, 2014) (“The incentive auction itself will actually be comprised of two separate but interdependent auctions -- a reverse auction, which will determine the price at which broadcasters will voluntarily relinquish their spectrum usage rights, and a forward auction, which will determine the price companies are willing to pay for flexible use wireless licenses.”).

contained in the Comment PN, develop and test methods to predict the effect of these proposals on the thousands of auction-eligible broadcast television stations, and conceptualize and test proposed improvements to the proposals contained in the Comment PN. Among the proposals that the Coalition and its economists will be evaluating are: (i) the information to be made available during the reverse auction, ¶¶ 76-78; (ii) the method for establishing the initial clearing target, ¶¶ 25-45; (iii) the method for determining opening pricing for relinquishment bids, ¶¶ 95-98; (iv) the discount levels for UHF-to-VHF bids, ¶¶ 99-101; (v) the appropriate price decrements for subsequent rounds of the reverse auction, ¶ 105; (vi) the use and implementation of dynamic reserve pricing, ¶¶ 106-110; and (vii) the use and implementation of intra-round bidding, ¶¶ 113-118, 121, 123.

Extending the deadline for comments and reply comments also will provide parties with the time necessary to submit thoughtful analyses regarding other significant issues that could affect the success of the Inventive Auction and the FCC’s ability to reallocate spectrum for mobile broadband use, such as: (i) the placement of stations that cannot be repacked in the new broadcast television band, ¶¶ 32-36; (ii) the implementation of the forward auction spectrum reserve, ¶¶ 149-158; and (iii) the methodology for optimizing final television channel assignments, ¶¶ 129-134.

Although the Coalition recognizes that requests to extend filing deadlines are not routinely granted, the Commission often has found that a pleading cycle extension is warranted when necessary to ensure that the Commission receives full and informed responses and that affected parties have a meaningful opportunity to develop a complete record for the Commission’s consideration. Under these circumstances, the Coalition believes that the proposed extension of time is appropriate so that the parties can respond adequately to the
important issues raised in the Comment PN, which, in turn, will yield a more robust record for the Commission’s review.

The Coalition agrees with Petitioners that the requested extension will not cause the Incentive Auction to be delayed. In October, the agency announced that, for a variety of reasons unrelated to Comment PN, it would begin accepting applications for the auction in the fall of 2015 and start the auction in early 2016. A thirty (30) day extension of the comment deadlines should have no bearing on this schedule, and the Coalition encourages the Commission not to deviate from its current timeline.

For the foregoing reasons, the public interest is served by the requested brief extension of the comment and reply comment deadlines in the above-captioned proceeding to March 2, 2015 and March 30, 2015.

Respectfully submitted,

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December 24, 2014
Certificate of Service

I, Preston Padden, hereby certify that on December 24, 2014, I caused a copy of the
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