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BEFORE THE SUBCOMMITTEE ON COMMUNICATIONS AND TECHNOLOGY

**OF THE UNITED STATES HOUSE OF REPRESENTATIVES
COMMITTEE ON ENERGY AND COMMERCE**

**“RAY BAUM’S ACT: A BIPARTISAN FOUNDATION FOR BRIDGING
THE DIGITAL DIVIDE.”**

DECEMBER 11, 2018

Chairman Blackburn, Ranking Member Doyle, Members of the Subcommittee, thank you for inviting me to testify today on the RAY BAUM’S Act and, more specifically, its impact on public television’s post-auction repack and the critical role of consumer education in making this channel transition successful.

I testify today on behalf of Milwaukee PBS where I am the General Manager and also on behalf of my 161 fellow public television licensees throughout the country who share my passion for local community service.

Our stations are relentlessly focused on three pillars of public service: education, public safety and civic leadership.

Each of these missions is supported by the federal investment Congress makes in public television every year, and each creates a special bond of trust and value between our stations and the people we serve.

The Public Broadcasting Act requires that we serve everyone, everywhere, every day, for free, and we work hard every day to honor this commitment because communities depend on us.

The RAY BAUM's Act helped ensure that local public television stations can continue this important work. We would like to thank this Subcommittee, the full Committee, Chairman Walden and Ranking Member Pallone for providing the additional \$1 billion in repacking funding, and \$50 million for consumer education in the RAY BAUM's Act. This essential funding will help ensure that public television stations can continue providing the services their communities depend on.

In addition, we are very appreciative that the SANDy Act was included in the RAY BAUM'S Act, recognizing the important role our stations play in emergency communications and granting us priority access to restricted areas during disasters to repair our lifesaving communications equipment when necessary.

We transmit critical alerts not only to people's televisions but also to wireless carriers for distribution to smartphones, as the WARN Act authorized. The SANDy Act priority access was essential to our colleagues in North Carolina – UNC-TV – as they maintained their essential service, to everyone, during Hurricane Florence.

The spectrum incentive auction last year posed something of a threat to this universal service, as we could not be sure whether the auction would create gaps in our service in markets where station licensees decided to relinquish broadcast spectrum.

Fortunately, our system emerged from the auction with our universal service largely intact, though higher interference limits adopted by the FCC and the complexity of moving frequencies will be problematic for some stations for years to come.

We now face the challenge of ensuring that our viewers aren't lost in a cloud of confusion about where they can find us in the new world of widespread channel reassignment.

The digital television transition a decade ago illuminated viewers' need for information to help them find their channels after a major realignment. Based on that experience, public television began stressing the need for a robust consumer education program — and the funding to make it possible — while the spectrum incentive auction law was still being drafted.

That is why we were so pleased when the RAY BAUM'S Act included \$50 million for consumer education.

Our experience in Milwaukee has proven that such an investment is essential and that a successful repack cannot be achieved without extensive, locally focused, consumer education.

We changed frequencies last January because the Board of Directors of our licensee, Milwaukee Area Technical College, voted to relinquish the Channel 36 bandwidth in the FCC spectrum incentive auction with a plan to channel share on our other channel, Channel 10.

With a target date of January 8, 2018 to begin channel sharing, Milwaukee PBS launched an all hands on deck campaign to educate our viewers about the upcoming change beginning in October 2017.

We created a plan that would take advantage not only of our on-air and online platforms but also our deep involvement in the many communities we serve throughout 11 counties in southeast Wisconsin.

We have about 600,000 monthly viewers, and some 38,000 are financial contributors to our station. The majority of these contributors are at least 50 years old. Making sure our viewers and donors knew where to find our channels after the repack was essential to sustaining our broadcast operations and community service.

Milwaukee PBS interacts with its members and viewers on a daily basis, in addition to the well-known periodic call-in pledge drives that still account for a significant portion of our funding.

We average at least one live community engagement event every month, sometimes more. We publish a monthly viewer guide magazine that includes my direct phone line and email address. Like you, I hear from my constituents quite often, and not always when things are going well.

From the first day Milwaukee PBS mapped out its repack plan, our intention was to be live on January 8th with Milwaukee PBS staff seated at our pledge phone banks taking viewers calls to assist with the community's questions about rescanning and how to find our station.

In advance of that momentous day, we created spots featuring our six regular on-air hosts and me talking about the January 8th technical change. We ran the sprockets out of those spots and had them on our website and social media pages.

We elected to far exceed the FCC's regulatory requirements knowing that our "Plan to Scan" had to be explained over and over to take hold in viewers' minds.

In late fall I was contacted by two Milwaukee general managers whose local CBS and Sinclair stations would begin channel sharing on January 8th, the same day as Milwaukee PBS.

We issued a joint release announcing our plan. They decided to make their change at 5:00 a.m. to coincide with their live morning newscasts. We had decided on a 9:00 a.m. switch. But on the day of the event, with little or no staff at either of the two commercial stations to take live viewer calls, the other stations directed their callers to our phone line.

We operated the phone lines on January 8th from 9:00 a.m. to 10:00 p.m. The response was so overwhelming that day, we made the decision to come back for a half day on the 9th to handle more calls.

From my tally, we handled a total of 589 calls on the phone bank for those two days. That breaks down to 42 calls an hour over the 14 hours we ran the phone bank. There were some calls that lasted as long as one hour (because you need to sit on the line with the viewer while their television set rescans to make sure it works and sometimes discuss antenna options with them in detail).

Some of the calls were very technical and required our station staff to help viewers identify which brand of television set they had, what brand of remote they might be using, and how they received our signal so that we could help walk them through the process of rescanning.

In addition to the January 8th and 9th phone banks, viewer services handled other callers on the same issues. These were viewers using a customer number we have for all issues related to Milwaukee PBS. One longtime volunteer (since 1983) told me he took 211 phone calls and answered 121 emails for a total of 332 transactions.

A new wave of calls in May from “snowbirds” returning home to Milwaukee made us realize that some viewers had no idea how to find our broadcast because they had been out of state when we began our Plan to Scan program in October 2017. But now they are caught up.

As you can see, this was an extensive consumer education effort, and frankly, one that not all stations in our market were prepared to undertake in the same manner we were.

Our experience demonstrates the importance of a well-planned, properly funded consumer education effort.

While we did what we could at Milwaukee PBS to ensure our viewers were well prepared for the change in service, we were in a different position than our colleagues at the 149 public television stations being involuntarily repacked.

We were able to use auction proceeds to finance our consumer education program. Many other public television stations do not have such resources to deploy, yet they have the same urgent need to educate their viewers and donors about their new position on the “dial.”

This is why federal funding for consumer education is so critical and why we are so appreciative that this Committee included such funding in the RAY BAUM’S Act.

But it's important for Congress and the Federal Communications Commission to remember that the spectrum incentive auction law in 2012 made a specific promise to hold broadcasters harmless from the vagaries of the auction. Making sure our viewers and donors can find us after the repack is every bit as important as funding the repack itself.

We believe public television stations throughout the country can play a critical role in coordinating the consumer education efforts for their entire markets, both public and commercial, just as Milwaukee PBS did, because our stations have extensive membership outreach facilities and operations already in place and in use every day.

Of the \$50 million in consumer education funding provided by the RAY BAUM'S Act, we believe that the FCC should dedicate a significant portion to local outreach initiatives, coordinated through interested public television stations in the market on behalf of the entire market.

This approach would ensure that every market has a robust, locally-focused consumer education campaign that will prepare viewers for the complex channel changes taking place in their markets.

As we learned with the DTV transition, making sure that viewers successfully transition to new channel assignments can be complicated and frustrating for the public. It is imperative that we leave no viewer behind – especially those whose technological grounding may not be advanced and, in our case, may be the heart of our financial strength.

These viewers depend on us for more than great programming. We are their gateway to lifelong learning, to lifesaving emergency alerts, and to life-changing perspectives on the community, the nation and the world around them.

All of this depends on the ability of citizens to receive our broadcast signal.

We hope that the FCC moves forward expeditiously to deploy the \$50 million that Congress appropriated for consumer education.

And we would urge them — and you — to dedicate a portion of that funding for hands-on, localized outreach, managed by public television, that will ensure comprehensive, in-depth information to help television viewers everywhere successfully adapt to the new broadcast landscape.

We in public television have been and continue to be committed to being good partners throughout this spectrum incentive auction and repack.

Our groundbreaking channel-sharing pilots with the wireless industry demonstrated how stations could pursue such arrangements technologically, operationally and financially.

Our partnership with T-Mobile USA allowed them to clear rural spectrum faster than planned by the FCC while ensuring that hundreds of public television translators could continue to serve the nearly 38 million viewers in rural and remote locations reached by low-power public television facilities.

We are prepared to do more in service of the public -- in partnership with you, the FCC, and our colleagues in commercial broadcasting.

As the first of the repacking deadlines was reached on November 30, and with the next phase of repacking deadlines close on its heels, we know that there are already a handful of stations, including a few public television stations, that did not make the phase one deadline entirely for reasons beyond their control.

We know that, as we enter the colder weather months, the potential for weather delays will further exacerbate the challenge of limited tower crews serving hundreds of stations throughout the country. Undoubtedly, weather and technical limitations beyond our control will make it difficult to meet the FCC's current repack timeline and to ensure minimal interruptions to the broadcast service many of your constituents rely on.

One way we can help mitigate such difficulties – something completely within our control; indeed within our expertise – is by taking a leading role in the critical work of consumer education. We know from experience – from the DTV transition in 2009 and with stations like ours that have begun this most recent repack – how essential this work is to a successful transition.

And we look forward to working with the committee and the Commission to complete this transition effectively, expeditiously, efficiently and successfully — just the way public television's dear friend Ray Baum would have wanted it.