

THE VERMONT ASSOCIATION OF BROADCASTERS

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MORE MURROWS FOR VPR

Vermont Public Radio has been honored with six regional Edward R. Murrow Awards from the Radio Television News Directors Association. VPR received awards for breaking news coverage, feature reporting, investigative reporting, series, sports coverage, and for their website. The Breaking News award was for VPR's coverage of the ordeal of Captain Richard Phillips, the Vermonter who was held captive by Somali pirates last year.

ED JOHNSON RETIRES



We'd be remiss if we didn't note the recent retirement of a popular Vermont disc jockey. Ed Johnson of WKOL-FM will have a little more family time now that he's hung up the headphones. Known for his smooth baritone delivery, Ed joined WCMC-Wildwood in his native state of New Jersey in 1971 and later worked at WPST-Trenton, WIBG-Philadelphia, WFAD-Middlebury and WJOY-Burlington, among others. We wish Ed and his family the best!

NEW VAB EMAIL ADDRESS

Not only do we have a new logo at the VAB this year, but we have a new email address, too! Our new address is vab@vab.org. Our old email address (vab@together.net) will continue to work until the end of this year, but you may want to update your email address book now to avoid any downtime in future communications with the VAB. Our thanks to Pshift.com for their help in setting up the new email system.

The VAB Voice



May, 2010

VAB CONVENTION MAY 27 AT CAPITOL PLAZA



Go to www.vab.org today to sign up online for the 55th Annual VAB Convention.

This year's seminars are designed to help you make more money this year!

At noontime, we'll have a tasty luncheon and announce the winners of the 2010 Commercial of the Year Awards.

We received nearly 200 entries this year! We thank all the stations and advertising agencies who took the time to send us their very creative commercials. We also thank our panel of judges, organized by Champlain College professor Nancy Kerr.

Registration begins at 8 a.m. at the Capitol Plaza. We'll have coffee, tea and bagels available.

At nine a.m., we'll conduct our annual meeting, and

our morning seminars will begin at 9:30. Attendees will have the choice of two morning seminars. We expect this will be a busy political year for our member stations. Broadcasting attorney David Oxenford will review the latest

changes to political broadcasting rules and then KOAM-TV GM Danny Thomas will show you how to make more money during the campaign season.

Our other morning seminar will feature sales guru Paul Weyland, back by popular demand! Paul will also conduct an identical afternoon seminar. He'll teach you and your staff how to make your clients customers for life.

Our second afternoon seminar will feature the legendary Mort Crim, long-time news anchor and best-selling motivational author and speaker. There's something for everyone this year at the VAB Convention. Tickets for VAB members and associate members are only \$25 each, including lunch. Go to www.vab.org today to sign up for this event!

Our Speakers:



David Oxenford



Danny Thomas



Paul Weyland



Mort Crim

55th Annual VAB Convention
Thursday, May 27, 2010
Capitol Plaza Hotel

8:00 - 9:00 A.M. Registration

9:00 - 9:15 Annual VAB Meeting

9:30 - 11:30 Morning Seminars

- Paul Weyland Sales
- Maximize Political Dollars

Noon - 2 P.M. Commercial of the Year Awards Luncheon

2:15 - 4:15 Afternoon Seminars

- Paul Weyland Sales
- Mort Crim Motivation

Legally Speaking

EAS, Tower Problems Draw Fines

In two separate orders last month, the FCC issued monetary forfeitures against a cable operator for failure to install Emergency Alert System (EAS) equipment and for various tower violations. These same violations could have been cited against a broadcaster, so these cases are instructive to both broadcasters and cable operators.



The FCC issued monetary forfeitures of \$20,000 and \$18,000 against two Texas cable systems owned by the same company. In both cases, the cable operator failed to install EAS equipment, failed to notify the FAA of a tower lighting outage and failed to exhibit red obstruction tower lighting from sunset to sunrise. The higher fine related to a system's failure to display a tower's Antenna

Structure Registration (ASR) number "in a conspicuous place so that it is readily visible near the base of the antenna structure."

These same requirements apply equally to broadcast stations that have their own towers. While most broadcasters are aware of the requirement to maintain working EAS equipment, many may not know that FCC rules require a tower's ASR to be conspicuously displayed at the base of the tower. To be compliant, the ASR must be displayed on a weather-resistant surface and of sufficient size to be easily seen at the base of the tower.

Similarly, if tower lighting is required, FCC rules require that any outage be reported "immediately" to the FAA if it cannot be fixed within 30 minutes. Red obstruction lighting is required to be operational from sunset to sunrise, while high and medium intensity obstruction lighting is required to be operational 24 hours a day.

These are important issues to which both broadcasters and cable operators need to stay alert to avoid big fines like those imposed here. As they potentially involve matters of public safety, the FCC is not likely to be forgiving in the event of violations.

- David Silverman, Davis Wright Tremaine, LLP



CAPITOL MATTERS

FCC TO REGULATE INTERNET

Setting the stage for a battle that may take years, FCC Chairman Julius Genachowski announced last week his intention to have the FCC regulate internet service providers.

Genachowski, breaking a deadlock on the issue within the commission, plans to invoke the FCC's decade's old authority over telephone line regulation as the basis for the new internet push.

The move is seen as a boon for those who support "net neutrality," who don't want the ISP's to be able to discriminate against content providers in terms of bandwidth and free access. This position is supported by Google, Amazon and other major websites.



The service providers, such as Comcast and AT&T, however, fear FCC regulation will lead to clogged information highways, regulated pricing for service and will limit the desire by ISP's to finance system expansions and upgrades.

The Chairman's decision to expand FCC authority comes in the wake of a federal appeals court ruling last month that knocked down the FCC's authority in a case involving Comcast. The Washington, DC appeals court ruled the FCC had exceeded its power when it tried to force Comcast not to slow down internet speeds for a certain website (a file-sharing site called Bit Torrent) that Comcast claimed was clogging its system.

To answer the authority question, Genachowski said the commission would be careful not to engage in "regulatory overreach." Still, major service providers are gearing up for a battle royale against content providers. One concern by the ISP's is that it won't take long for the FCC to start ordering them to share their broadband networks with the competitors at government-regulated prices.

Even some net neutrality supporters concede some type of bandwidth discrimination may be needed as the amount of data and video being transmitted on the internet continues to mushroom. The big question, industry analysts say, is how heavy-handed will the FCC be in its regulatory quest. Stay Tuned.

- Jim Condon, VAB