

**Vermont Association of Broadcasters**  
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#### DONOVAN TO RETIRE

WDEV's Jack Donovan has announced he is retiring at the end of August after a 39-year career at the Waterbury station. Donovan was inducted into the VAB Hall of Fame last November. WDEV's Ken Squier says Donovan will still appear as a co-host on the Saturday morning "Music to Go to the Dump By" program. Good luck to one of the classiest guys in the business!

#### BRIAN BULL 1947-2011



Burlington radio personality Brian Bull lost his battle against declining health on July 30, 2011. He was 64. Also known as "Brian Fox" and "Brian Phillips," he had a career that included stints at 95 TripleX, Champ 101.3 and KIXX 101.7. In addition to radio, he was also a well-known local musician who worked with many top acts. Donations in his memory may be made to the Salvation Army, 64 Main St., Burlington, VT 05401.

## The VAB Voice



August, 2011

### STATE ASSOC'S ASK FOR EAS DELAY

The Vermont Association of Broadcasters and all other members of the National Alliance of State Broadcaster Associations (NASBA) have filed joint comments with the FCC asking for a delay in the proposed Sept. 30, 2011 EAS deadline.

The comments, filed July 20, ask the FCC for a 180-day extension of the EAS -CAP conversion. The reasons for the request stem in part from budgetary concerns around the country. Although the FCC, FEMA and DHS are ordering the changes to the EAS system on a national scale, it is local and state agencies that have the burden of making sure they are prepared. And, in many cases, tight budgets have made readiness an elusive goal.

The state associations also point out in the comments that a delay is needed because it's still not known if the FCC

plans to institute a parallel certification process for new CAP-ready equipment.

"No EAS Participant should be required to purchase costly equipment not knowing whether it will be fully FCC compliant," the comments say. "The additional time will also allow EAS Participants to take into consideration any and all changes in Part 11 before making final purchase decisions as well as before finalizing their planning for CAP-related installation, training, testing, and operations."

The state groups suggest in the filing that the federal parties work more closely with state emergency communications committees. The comments also ask for changes in the proposed preemptive gubernatorial override. The EAS system is event-driven, not personality-driven, and should stay that way. Plus, Governors are already included in specific originator codes under "Civil Authorities."

Unless the FCC acts, the deadline will remain Sept. 30. The VAB is continuing its rebate program for Vermont TV and radio stations. Your station may be eligible for a rebate of up to \$1000 for the purchase of new CAP-complaint EAS receivers. For more information on the rebate program and to download the necessary forms, visit our website at [www.vab.org](http://www.vab.org).

Meanwhile, a first-of-its-kind national EAS test will be conducted at 2 P.M. EST on Wednesday, November 9. This will be a test of the legacy EAS system and will happen whether or not a CAP extension is granted. ALL stations will be required to report their results to the FCC. - Jim Condon

#### CALLING ALL ENGINEERS!



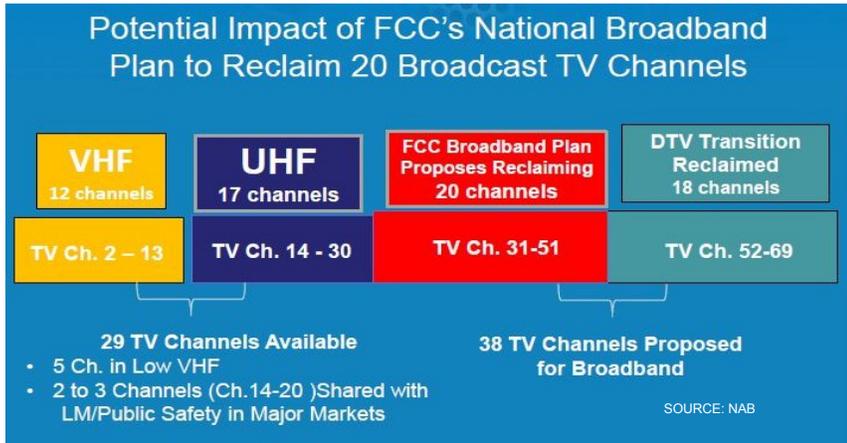
We want (and need) you to fill out our on-line VAB EAS Survey by August 6, 2011. We need your information as we continue work on a new mandated state EAS plan for Vermont. Our deadline is August 6, 2011. If you've already filled it out, thank you! Find a link to the survey on our website:

[WWW.VAB.ORG](http://WWW.VAB.ORG)

**BROADCASTERS KEEP WARY EYE ON LATEST BUDGET BATTLE**

At press time for the *VAB Voice*, the battle to raise the national debt ceiling was in full swing. House Speaker John Boehner (R-OH) and Senate Majority Leader Harry Reid (D-NV) each laid out budget proposals that could avert default. While Boehner's proposal left the spectrum issue alone, Reid's bill includes spectrum auction language that would raise an estimated \$13.1 billion in net revenue.

TV broadcasters fear the Reid language does not protect their rights when it comes to being forced out of the spectrum from Channels 31 to 50, or to avoid "repacking" of spectrum within Channels 2 to 30. Broadcasters already surrendered channels above Channel 51 in the DTV transition (see chart below). The NAB estimates more than 200 stations will be forced off the air entirely unless protections (such as in S.911) are included. While broadcasters do not oppose the proposed incentive auction, they want to make sure that it remains truly voluntary. To learn more about spectrum, visit [www.thefutureoftv.org](http://www.thefutureoftv.org). - Jim Condon



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**LET US KNOW BY SENDING AN EMAIL TO: [VAB@VAB.ORG](mailto:VAB@VAB.ORG)**



*DEADLINE IS APPROACHING—ACT NOW!*

Nominations are now being accepted for the VAB Hall of Fame and our other prestigious annual awards. Visit our homepage at [www.vab.org](http://www.vab.org) and click on the nomination link for the following awards:

- VAB HALL OF FAME
- BROADCASTER OF THE YEAR
- DISTINGUISHED SERVICE AWARD
- COMMUNITY SERVICE AWARDS

**Nominations must be received by  
Sept. 30, 2011.**

Our annual awards banquet will be held **Nov. 19, 2011** at the Burlington Hilton Hotel. Stay tuned for more information!

**Reg Fees Will be Due Soon**



David Oxenford

The exact filing window hasn't been announced, but it is expected the FCC will open a regulatory fee filing window sometime in September. Congress has mandated a 4.7% increase in fees across the board.

Attorney David Oxenford notes some changes from past years:

The FCC will no longer mail notices to broadcasters about their fee obligations. Instead, stations will need to go to the FCC website to verify the amount of the fees they owe. Look for the site containing that information to be live in the next few weeks.

The FCC decided that LPTV and TV translator stations that operate both analog and digital facilities during their digital transition will pay only one fee. That transition will end (barring reconsideration or other review of last week's order) for stations operating on Channels 52-69 at the end of the year, and will end in 2015 for all other LPTV and TV translator stations.

The FCC promised to start a new rule-making before the end of the year to reassess the allocation of the regulatory fee burden. Within the broadcast industry, that would mean looking at issues such as whether VHF television stations should pay more than UHF stations for their fees - when in the digital world, most think that UHF channels are actually more valuable than those on the VHF band. But, with potentially more impact, the FCC would look at rebalancing its fees over all the different industries that it regulates.

The FCC also reminded broadcasters that they needed to make the payments on time to avoid late fees and interest charges. Broadcasters pay fees based on a station's status as of October 1, 2010. Thus, a station that was an un-built CP as of October 1, 2010, but has subsequently been constructed, still pays the CP fee for this year. The same goes for stations that have received upgrades in the period after October 1 - they pay only the amount due for their status as of October 1, 2010. However, if a station has changed ownership since October 1, the new owner is still the one liable for the fee payment.