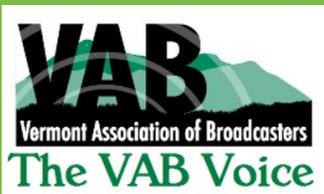


Vermont Association of Broadcasters  
 500A Dalton Drive  
 Colchester, VT 05446  
 (802) 655-5764  
 Email: [vab@vab.org](mailto:vab@vab.org)



December,  
 2017



**WNNE AND WVTA ON THE MOVE**



The recent spectrum auction is prompting Hearst Television to move its Upper Valley signal on WNNE-TV from Mount Ascutney to a shared tower with sister station WPTZ (Newschannel 5) on Mount Mansfield. As a result, WNNE's city of license is moving from Hartford to Montpelier. The change is expected to happen this month.

Likewise, Vermont PBS is shutting down its signal for WVTA from Mount Ascutney after a successful spectrum auction. WVTA will now share tower space with WVER on Grandpa's Knob in the Rutland area.

**WBVT-LP GOES ON THE AIR**

The Queen City has a new LPFM. WBTV-LP officially signed on last month at 99.3 Mhz. The station is a joint venture among Vermont Community Access Media, the Regional Educational Television Network and Channel 17/Town Meeting Television.

According to their website, they expect to have a mix of music, talk, live events, locally pre-recorded shows and podcasts and content from community television channels. They say their volunteer operation "will have a deep commitment to training community members in the art of making radio. This will allow for a range of people to get on the air, no matter their prior radio experience, age, or tech skills." We wish them good luck!

*EEO REPORTS DUE TODAY, DECEMBER 1 - [CLICK FOR INFO](#)*

**SEE YOU AT THE VAB HALL OF FAME BANQUET!**

We look forward to seeing you Saturday, December 2 at the Hilton Burlington for the VAB's annual Hall of Fame Awards Banquet.



The festivities begin with registration and a Happy Hour at 5:30 p.m.

Seating for dinner begins at 6:45 with dinner at 7 p.m. VAB Hall of Fame member and former VAB President Eric Michaels will serve as Master of Ceremonies.

We'll be inducting three new members into the Hall of Fame, and we'll be honoring three Distinguished Service Award winners, the winner of the Snyder-Teffner Award and this year's winner of the Alan Noyes Community Service Award.

Click here to download the poster.

Check our website at [www.vab.org](http://www.vab.org) soon for banquet photos!

**'TIS THE SEASON FOR GIVING BACK TO THE COMMUNITY**



Clockwise from top left: WIZN & WBTV's Feed Your Neighbor Food Drive at Costco; WCAX-TV's Mitten Tree clothing drive; WRFK and sister stations' Stuff-a-Truck food campaign; WTSA's "Project Feed the Thousands"; Star 92.9's Salvation Army gift wishes for kids; WPTZ's Toys for Kids campaign; ABC22 and FOX44's Feed a Family campaign.

It seems like nearly every television and radio station in our state is busy collecting food, toys, money and clothing to help make the holiday season a little merrier! The photos and logos above are just a sample of the good work being done by our broadcasters. Cheers to all for helping our neighbors in need!



## FCC HAS BUSY AGENDA THIS MONTH

By **David Oxenford**, Wilkinson Barker Knauer LLP

Last week, just before Thanksgiving, the FCC released the tentative agenda for its December meeting. From that agenda, it appears the meeting will be an important one for broadcasters and other media companies. Already, the press has spent incredible amounts of time focusing on one item, referred to as “Restoring Internet Freedom” by the FCC, and “net neutrality” by many other observers. The FCC’s draft of the Order that they will be considering at their December meeting is [available here](#).

The one pure broadcast item on the agenda is the Notice of Proposed Rulemaking, looking to determine if the FCC should amend the cap limiting one TV station owner to stations reaching no more than 39% of the national audience. The FCC asks a series of questions in its draft notice of proposed rulemaking, [available here](#), including whether it has the power to change the cap, or if the power is exclusively that of Congress. The FCC promised to initiate this proceeding when it reinstated the UHF discount (see our articles [here](#) and [here](#)). In that proceeding, the FCC determined that the UHF discount should not have been abolished without a thorough examination of the national ownership cap - an examination that will be undertaken in this new proceeding if the NPRM is adopted at the December meeting.

Also on the agenda is a proposal in the FCC’s proceeding for the Modernization of Media Regulation, looking at whether the FCC should change some of the requirements on cable operators and other MVPDs for giving written notice to customers about changes in their operations. The FCC is examining whether other forms of notice, including electronic notice, might be a better option. The draft of the FCC’s proposal is [here](#). As some of the required notices include notices of changes in TV stations carriage, broadcasters should take note of this proceeding.

The FCC is also looking to adopt a new event code for its EAS system - a Blue Alert to notify the public of an imminent threat to law enforcement personnel. This, of course, would affect broadcasters and their EAS obligations. The draft order is [available here](#).

Finally, the FCC is looking at the process that wireless companies need to go through to locate antennas on “twilight towers,” those towers built during the period from 2001 to 2006 when the FCC had not adopted the full environmental and historical review process that proponents of new towers now need to go through. As broadcasters may own some of these towers, this item may be of interest to some. The draft of the FCC’s proposal to be considered at the December meeting is [here](#).

All of these matters will be considered at the FCC’s December meeting, to be held on December 14.



## CRACKDOWN ON PIRATES

By **Scott Flick**, Pillsbury Winthrop Shaw Pittman



In its most recent salvo against pirate radio operators, FCC field agents issued dozens of Notices of Violation (NOV) or Notices of U n a u t h o r i z e d

Operation (NOUO) against alleged operators of unlicensed radio stations, particularly in New York, New Jersey, and Connecticut.

Under Section 301 of the Communications Act, transmission of radio signals without FCC authorization is prohibited. Unlicensed radio operators risk seizure of their equipment, heavy fines, and criminal sanctions that include prison time.

On just two consecutive days in October, agents from the New York field office investigated no fewer than eight pirate radio operations in New York and New Jersey, and the past month saw half a dozen NOUOs issued for Connecticut pirate radio operations.

For many years, broadcasters complained bitterly about both the interference from multiplying pirate stations and the FCC’s glacial response to these illegal operations.

Too often, the FCC’s response was to shrug its bureaucratic shoulders and note that it had limited resources. Broadcasters thus became even more disheartened when the FCC greatly reduced its field offices and staffing in 2016, making it harder for FCC personnel to quickly reach and investigate pirate operations, even if given authority to do so.

Fortunately, Commissioner O’Rielly took up the cause early in his tenure at the FCC, and under Chairman Pai, the FCC has made prosecution of unauthorized radio operations a priority. While broadcasters are certainly appreciative of the change, the sudden uptick in enforcement actions by a reduced number of field offices and agents has made clear that it was never a matter of resources, but of regulatory will. If you want to hunt pirates, you have to leave port.