

Waiver Supplement

State of Alaska (ARCS TV Translators)

This supplement is provided at the request of FCC staff.

Recent History

Since January 1, 2021, the State of Alaska (SOA) has taken the following steps:

- Awarded a contract to Alaska Public Media to serve as project manager for certain projects for the ARCS TV translator network.
- Ensured that the contract awarded to Alaska Public Media provided for a community/site survey on the current status of the ARCS translators and their digital conversions and their level of interest in receiving service from ARCS.
- Confirmed that there are funds – appropriated by the State Legislature in FY2014, allocated by SOA and available for use after state procurement processes are met, to pay for the digital conversions of as many ARCS translators as the funding permits.
- Confirmed, through Alaska Public Media, that the community/site survey has commenced and, to the extent possible, information has been obtained about the current status of the ARCS translator, their digital conversions and their level of interest in receiving service from ARCS.
Note: The initial results of the community/site survey have been obtained, but the site survey remains on-going due to the difficulty of communicating with some of the remote sites.
- Confirmed, through Alaska Public Media, that there is equipment, in storage, in Alaska (Anchorage) in a warehouse, for approximately 60 ARCS translator conversions to digital. This equipment needs to be bench tested, shipped to the ARCS sites and installed.
- Through Alaska Public Media, assessed the ARCS translator analog license situation and digital conversion possibilities and timing, through Alaska Public Media.
- Through Alaska Public Media, engaged in communications with FCC staff about the ARCS translators, the possibilities of waivers to permit analog operations and the possible options for preserving certain ARCS FCC authorizations for future digital conversion.

These tasks above by SOA have resulted in the pending waiver request for 15 ARCS analog TV translators that have been confirmed to be providing existing service at this time, and have also resulted in this supplement to the waiver request.

Note that, in order to complete the build out of the 15 ARCS analog TV translators for which waiver is sought, SOA will also need to award a contract to a vendor, to undertake the visits to the remote site and perform the technical work of installing the digital equipment at those remote sites. The State of Alaska, like all (or virtually all) States, is required to follow certain State-mandated procurement and contracting procedures that include the requirement that contractors be hired through a competitive “request for proposal” system. The procurement process is in process now – it is often a very time-consuming process over the period of many months.

FCC staff has also asked about the period from 2013-2021 when the SOA had analog translator station digital permits, but work on the ARCS digital upgrades did not seem to have progressed.

- After a capital appropriation from the SOA legislature in FY2014 for ARCS digital conversion, the SOA went to bid and hired a contractor for the ARCS digital conversion project. The selected contractor, Alaska Public Broadcasting Inc. (APBI), had held multiple contracts and grants for ARCS services for over twenty years.
- Between 2014 and 2017, the SOA's former contractor, APBI, "deployed" digital upgrade equipment to some 86-95 ARCS sites that were most ready for conversion (i.e., the "easiest" ones). The contractor remotely assisted with the set-up of this equipment for the majority of those sites. Because of the extreme remoteness, poor communications, small population, and extreme weather of these communities not all of the "deployed" equipment was ever operational, given that the prior contractor's assistance was for remote set-up, not for on-site set up.
- The SOA's former contractor reported that each ARCS community installation was unique and required planning, licensing, negotiations with property owners for permission and provision of electricity and access. Based on information provided by Alaska Public Broadcasting, Inc., initial phases of the project included system designs, vendor case studies, equipment demonstrations, bid qualifications, vendor selection and contract agreement, final design specifications, prototype testing and refinement, initial rollout delivery costs and methods approved, installation of first trial units in field with successful results.
- Based on information from the APBI on or about 2017, the digital equipment vendor (EMCEE) dissolved and went out of business. APBI moved to take possession of the equipment that the SOA had already commissioned from EMCEE (and paid for) and APBI arranged to ship that equipment to Alaska.
- By the 2017-2018 time frame, SOA's former contractor, APBI had identified over 90 ARCS sites (not yet "deployed" for digital) that required major infrastructure improvements/repairs and/or had special geophysical or community related challenges that made digital upgrades substantially more difficult than the earlier upgrades. Almost none of these ARCS communities are connected to the road system and some have less than 100 residents with little or no local government.
- In the 2018-2019 time frame, APBI reported difficulties in making progress with the digital upgrades due to the extreme complexities of reaching and upgrading the ARCS sites.
- In March 2020, the COVID pandemic hit. In Fall 2020, SOA engaged in a procurement process for a new contractor for ARCS and the digital upgrade project. See: <https://aws.state.ak.us/OnlinePublicNotices/Notices/View.aspx?id=199474>
- On January 1, 2021, SOA awarded a contract to Alaska Public Media, to serve as project manager for Lot 1 of the RFP for the ARCS project. Lot 2 of the ARCS project in the RFP is still in the procurement process.

See this article:

<https://www.alaskasnewsresource.com/2020/12/30/alaska-public-media-will-begin-operating-arcs-on-friday-but-digital-conversion-is-currently-on-hiatus/>

Based on the information available at this time:

91 of the ARCS analog TV translator stations have already been converted to digital or have digital equipment on site and are poised to convert to digital by the digital transition deadline.

74 of the ARCS analog TV translator stations were never earmarked for digital conversion, do not have digital construction permits, and SOA does not plan to convert them to digital. Most are silent and the remaining operating stations will continue operating until the analog termination deadline at which time they will cease operations.

78 of the ARCS analog TV translator stations were earmarked for conversion, 15 are operational. These are the stations for which SOA intends to seek extensions of the digital permits and the 15 operational analog stations are the subject of the Waiver Request and this Supplement.