

License to Cover Public Interest Statement

The State of Alaska (the “State”) provides the following information in support of the request for Section 312(g) relief made in this application due to the unique nature of ARCS facilities.

Background. The license in the instant application is part of the Alaska Rural Communications System (“ARCS”) – a state-funded system designed to provide free, over-the-air, television programming across much of Alaska. ARCS uses a network of television translators to provide free television programming, including the emergency alert system (EAS), to Alaskan Bush communities. The State is licensee of approximately 100 television translator facilities throughout Alaska that were originally licensed decades ago.

The Alaskan Bush¹ is made up of isolated, remote villages, often more than 500 miles apart. They are extremely “rural, sparsely populated, and in some situations, impoverished communities that are most likely in need of free, over-the-air broadcast television service to connect to the wider world.”² ARCS provides the only broadcast television service to these communities, which also have very limited cellular telephone or broadband access.³ Programming is not determined by the State of Alaska – a group known as the ARCS Council makes programming decisions for ARCS. The Commission granted the first experimental license for facilities that would make form part of the ARCS system more than fifty years ago.⁴

The Commission has recognized the unique nature of the television services provided by ARCS when it authorized the facilities that now make up the system,⁵ and, more recently, in connection with a waiver of the digital transition deadline for TV translators.⁶ Initially, “tape cassettes of selected programs from the four television stations in Anchorage, Alaska would be uplinked to RCA Satcom II satellite by the Alaska Public Broadcasting System” and in the communities served by the translators “small earth receiving stations . . . would be constructed to receive the signals which would be rebroadcast over” the “Mini-TV stations,” as the translator facilities were then known.⁷ The initial operation of these stations also included “some cassette material in various Eskimo dialects, not theretofore broadcast over the air . . .”⁸

¹ In Alaska, the Bush typically refers to any region of the state that is not connected to the North American road network or does not have ready access to the state's ferry system. A large proportion of Alaska Native populations live in the Bush, often depending on subsistence hunting and fishing.

² *State of Alaska Request for Waiver of Section 74.731(m) of the Commission's Rules – Low Power Television Analog Termination Date*, Order, 36 FCC Rcd 10765 (2021) (“Digital Transition Deadline Waiver Order”) at footnote 14.

³ *Id.* at ¶ 12.

⁴ *Wrangell Radio Group, Wrangell, Alaska; City of Cordova, Cordova, Alaska; City of Valdez, Valdez, Alaska; Kodiak Public Broadcasting Corp., Kodiak, Alaska; Narrows Broadcasting, Petersburg, Alaska; Kotzebue Broadcasting, Kotzebue, Alaska; City of Nome, Nome, Alaska; For Authority to Construct Television Translator Stations*, Memorandum Opinion and Order, 75 F.C.C.2d 404 (1980) (“Mini-TV Waiver Order”) at ¶ 3.

⁵ Mini-TV Waiver Order.

⁶ Digital Transition Deadline Waiver Order.

⁷ Mini-TV Waiver Order, 75 F.C.C.2d 404 at ¶ 6.

⁸ *Id.* at ¶ 5.

Operation and licensing of ARCS translator facilities is made challenging by factors that are unique to Alaska and the Alaskan Bush. These facilities “are located at some of the most remote locations in the United States”⁹ and in communities that are extremely isolated, some with under 100 residents. Most of these communities are not connected to Alaska’s road system and the equipment is maintained by volunteers in the local communities. At most, Alaska’s harsh climate only allows approximately twelve weeks per year (during Alaskan Summer) for construction or facility maintenance to occur. The sum of these factors is a situation that makes physical site visits extremely challenging.

The ARCS system was constructed by the state during the 1970s and 1980s and eventually consisted of over 200 sites. At present, the ARCS programming is assembled in Anchorage and sent to an uplink site at the University of Alaska Fairbanks. The uplink transmits the programming to satellite for which the State currently contracts transponder use. The satellite uplink and downlink are known as the Satellite Interconnection Project or SIP. The ARCS program content is a mix of public and commercial television network and syndicated product; Alaskan produced news and public affairs including 360 North legislative coverage, and educational and informational programs from a variety of sources. Programming is not determined by the State of Alaska. A group known as the ARCS Council makes programming decisions for the content included ARCS.

The ARCS Council is a policy committee created under authority of Alaska state statute. The ARCS Council members are selected as follows: one consumer member selected from each of the 12 regional nonprofit Native associations in Alaska; one representative from the Department of Education; one representative from the University of Alaska; one member from the Alaska Public Broadcasting Commission; a representative from the manager station for the Council; and two public members selected at large by the Governor. There are no terms set for members and they receive no compensation for serving on the Council.

The SIP downlinks television and radio programming to rural ARCS sites. The sites consist of a large satellite receive dish, a receiver, a low power transmitter (typically 10 watts) and a small transmission tower. The SIP downlink transmission is one way and there is no capability to receive information from the ground sites or monitor the sites through the SIP. The SIP transmission is open for public use and does not require any pre-authorization or payment to use.

After more than thirty years of service, many of the ARCS sites – particularly the remote sites – have equipment that has become degraded by long exposure to extreme conditions. Many are suffering the effects of vandalism, corrosion, high wind damage, and shifting foundation from freeze/thaw cycles. Many sites no longer have local support for housing, power, and operational maintenance. Additionally, most of these communities are not connected to Alaska’s very limited road system and most of these communities consist of fewer than 300 residents. These facts make coordination with these localities for ARCS upgrades very challenging.

As demonstrated in this request, good cause exists for Section 312(g) relief as there are considerations of hardship, equity and effective implementation of the underlying policy rationale. Waiver will serve the public interest by maintaining *the only over the air broadcast*

⁹ Digital Transition Deadline Waiver Order, 36 FCC Rcd 10765 at ¶ 11.

service and NOAA weather service to remote rural and Alaskan bush communities – “broadcast service that the public has come to depend upon and enjoy.”¹⁰ Moreover, the relief will not harm other broadcasters or users of the TV spectrum or defer the deadline for other analog translators. The purpose of this relief is simply to continue existing broadcast service to these remote areas – the only over the air broadcast service for these citizens of the United States and residents of the State of Alaska. Absent a waiver, the rural and remote populations served by this facility would lose their *only over the air broadcast service*. Relief would permit continuation of broadcast service to citizens of the United States that have no local broadcast stations, no broadband connections and in many instances, and no roads to or from their community. Residents, including children and families, benefit – and should continue to benefit – from the program offerings of their ARCS station, from the weather notifications from NOAA, and from ARCS participation in the State of Alaska Emergency Alert System. The Alaska Bush communities that would benefit from this relief are rural and sparsely populated. Population areas like these are most in need of continued broadcast television service to connect to the wider world.

For all these reasons, as project manager for SOA for the ARCS stations, Alaska Public respectfully requests that the Commission provide Section 312(g) relief and grant the instant license application.

¹⁰ See *Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Replacement Digital Low Power Television Translator Stations*, MB Docket No. 08-253, Report and Order, 24 FCC Rcd 5931, 5932, para. 3 (2009) (*DRT R&O*).