

July 12, 2022

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission  
45 L Street NE  
Washington DC 20554

The Honorable Brendan Carr  
Commissioner  
Federal Communications Commission  
45 L Street NE  
Washington DC 20554

The Honorable Geoffrey Starks  
Commissioner  
Federal Communications Commission  
45 L Street NE  
Washington DC 20554

The Honorable Nathan Simington  
Commissioner  
Federal Communications Commission  
45 L Street NE  
Washington DC 20554

Re: **MB Docket Nos. 20-401 and 17-105; RM-11854**

Dear Chairwoman Rosenworcel and Commissioners:

The State Broadcasters Associations listed below, which represent nearly the entire universe of radio stations in every state and territory in the United States, write to register our strong opposition to GeoBroadcast Solutions' (GBS) proposal before the Federal Communications Commission that would permit GBS to deploy its proprietary ZoneCasting technology in the marketplace.<sup>1</sup> GBS claims that its ZoneCasting technology will enable FM stations to use boosters to geotarget distinct radio programming to different parts of a station's market. However, GBS's approach would only undermine, rather than serve, listeners and local broadcasters, raising serious concerns about this new technology's effect on local radio's important public safety function and ability to provide the free, local news, information, and entertainment on which Americans rely. We urge the Commission to heed the expertise of the radio industry, which has expressed deep concern over the pending proposal.

While there are many reasons the Commission should reject GBS's petition and close the proceeding, the associations highlight two important points for the Commission's consideration. First, we are concerned about the impact of ZoneCasting on public safety and listeners, as is National Public Radio.<sup>2</sup> The Federal Emergency Management Agency has also expressed concerns

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<sup>1</sup> *Amendment of Section 74.1231(i) of the Commission's Rules on FM Broadcast Booster Stations*, Notice of Proposed Rulemaking, 35 FCC Rcd 14213 (2020) (Notice).

<sup>2</sup> Comments of National Public Radio, Inc., MB Docket Nos. 20-401 and 17-105, and RM-11854 (June 6, 2022).

about the impact of ZoneCasting on the Emergency Alert System,<sup>3</sup> and like the associations, should have concerns that ZoneCasting will interfere with the broad distribution of timely news about emergencies. For example, it could be dangerous for a listener to suddenly lose access to an emergency news update if they should happen to drive outside the zone where such information is broadcast. Similarly, drivers stuck in slow traffic caused by an emergency will take longer to traverse the area in which ZoneCasting disrupts radio service as the radio signal transfers from one booster to another. Listeners in this situation could lose clear radio service for an extended period of time, and at the worst possible time.

To date, GBS has conducted only two field tests of ZoneCasting, and neither test demonstrated that ZoneCasting can be deployed without negatively affecting radio service. Instead, GBS has only examined the impact of ZoneCasting in limited situations that were carefully designed to produce only positive results, and that do not simulate real-world conditions. Although ZoneCasting will only cause interference to the signals of the stations that use the technology, our member stations fear that radio listeners will be rightly confused and annoyed by the disruption to radio service caused by ZoneCasting. GBS's own testing revealed that such disruption could last anywhere from about seven seconds to 20 seconds or more, depending on the speed and direction of a listener in a car.

Second, authorizing ZoneCasting could have a devastating economic impact on the radio industry. Specifically, if even one station in a market chooses to use ZoneCasting to sell ads that reach only segments of the market, other stations will be forced to respond either by: (1) reducing rates for ads that reach the entire market to match the ZoneCasting station's cheaper rates for geotargeted ads; or (2) paying GBS's exclusive licensing fees (and other costs) for the unwanted privilege to use its system. Thus, even though GBS describes its proposal as "voluntary," stations will be forced to choose between being frozen out of the advertising market or signing up for ZoneCasting. Either way, approving ZoneCasting will reduce ad rates and revenues for *all* stations, including stations that choose not to use the system, and harm all stations' ability to provide the free, local news, information, and entertainment on which 234 million Americans rely.<sup>4</sup>

Moreover, ZoneCasting is likely to cause the most damage to smaller stations, including many women- and minority-owned stations, because the economics of small-market radio make it far

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<sup>3</sup> Comments of the Federal Emergency Management Agency (FEMA) Integrated Public Alert and Warning System Program Management Office, MB Docket Nos. 20-410 and 17-105, and RM-11854 (Feb. 8, 2021). Former FEMA Administrator Craig Fugate expressed similar concerns. Letter from W. Craig Fugate to the Honorable Jessica Rosenworcel, Acting Chairwoman, FCC, MB Docket Nos. 20-410 and 17-105, and RM-11854 (Feb. 5, 2021).

<sup>4</sup> *Nielsen Audio Today Report* (rel. June 2022) (monthly reach of radio in the United States is 93% of 18+).

more difficult to afford the costs to purchase and maintain booster stations, GBS's unchecked licensing fees, staff needed to attempt to attract more advertisers, and the inevitable lower ad revenues. If anything, allowing ZoneCasting will only further the competitive advantage of larger stations over smaller ones, as larger stations will be better equipped to absorb the additional capital and operating expenses and withstand advertising losses while the industry's overall share of the advertising pie contracts.<sup>5</sup>

For these reasons, the radio industry vehemently opposes GBS's proposal, including small and large companies,<sup>6</sup> minority broadcasters<sup>7</sup> and NPR.<sup>8</sup> On the other hand, support for the proposal is largely limited to GBS itself, advertisers who aim to pay radio stations less, and those affiliated with the company in one manner or another.

Accordingly, the associations respectfully ask the Commission to dismiss GBS's proposal because ZoneCasting is likely to impair listener access to radio and threaten broadcasters' ability to serve the public interest in free, over-the-air radio service.

Respectfully submitted,

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<sup>5</sup> Comments of Urban One, Inc., Davis Broadcasting Inc., Ohana Media Group, LLC, and Riverfront Broadcasting LLC, MB Docket Nos. 20-410 and 17-105, and RM-11854 (Feb. 10, 2021) (Minority Broadcasters Coalition).

<sup>6</sup> Comments of the Small Radio Broadcaster Coalition, MB Docket Nos. 20-410 and 17-105, and RM-11854 (Feb. 10, 2021).

<sup>7</sup> Comments of Audacy, Inc., Beasley Media Group, LLC, Cumulus Media New Holdings Inc., iHeart Communications, Inc., New York Public Radio, and Salem Media Group, Inc., MB Docket Nos. 20-401 and 17-105, and RM-11854 (June 6, 2022); Minority Broadcasters Coalition Comments at 1-4.

<sup>8</sup> Comments of National Public Radio, Inc., MB Docket Nos. 20-401 and 17-105, and RM-11854 (June 21, 2022).

*Sharon M. Tinsley*



**Alabama Broadcasters Association**  
Sharon Tinsley

*Cathy Hiebert*



**Alaska Broadcasters Association**  
Cathy Hiebert

*Christopher W. Kline*



**Arizona Broadcasters Association**  
Christopher Kline

*C. Luke Story*



**Arkansas Broadcasters Association**  
Luke Story

*Joe Berry*



**California Broadcasters Association**  
Joe Berry

*Justin Sasso*



**Colorado Broadcasters Association**  
Justin Sasso

*Michael Patrick Ryan*



**Connecticut Broadcasters Association**  
Michael Patrick Ryan

*C. Patrick Roberts*



**Florida Association of Broadcasters**  
C. Patrick Roberts

*Bob Houghton*



**Georgia Association of Broadcasters**  
Bob Houghton

*Jamie Hartnett*



**Hawaii Association of Broadcasters**  
Jamie Hartnett

*Lisa L Owens*



**Idaho State Broadcasters Association**  
Lisa Owens

*Dennis Lyle*



**Illinois Broadcasters Association**  
Dennis Lyle

*Dave Arland*



**Indiana Broadcasters Association**  
Dave Arland

*Lisa Reynolds*



**Iowa Broadcasters Association**  
Lisa Reynolds

*Allison Mazzei*



**Kansas Association of Broadcasters**  
Allison Mazzei

*Chris Winkle*



**Kentucky Broadcasters Association**  
Chris Winkle

*Polly Prince Johnson*



**Louisiana Association of Broadcasters**  
Polly Prince Johnson

*Dave Abel*



**Maine Association of Broadcasters**  
Dave Abel

*Lisa Reynolds*



**Maryland/D.C./Delaware (MDCD) Broadcasters Association**  
Lisa Reynolds

*Jordan Walton*



**Massachusetts Broadcasters Association**  
Jordan Walton



**Michigan Association of Broadcasters**  
Sam Klemet

*Wendy S. Paulson*



**Minnesota Broadcasters Association**  
Wendy Paulson

*Amanda S. Fontaine*



**Mississippi Association of Broadcasters**  
Amanda Fontaine

*Mark Gordon*



**Missouri Broadcasters Association**  
Mark Gordon

*Dewey Bruce*



**Montana Broadcasters Association**  
Dewey Bruce

*Jim Timm*



**Nebraska Broadcasters Association**  
Jim Timm

*Mitch Fox*



**Nevada Broadcasters Association**  
Mitch Fox

*Tracy Caruso*



**New Hampshire Association of Broadcasters**  
Tracy Caruso

*Paul Rotella*



**New Jersey Broadcasters Association**  
Paul Rotella

*Paula Maes*



**New Mexico Broadcasters Association**  
Paula Maes

*David Donovan*



**New York State Broadcasters Association**  
David Donovan

*Lisa Reynolds*



**North Carolina Association of Broadcasters**  
Lisa Reynolds

*Beth A. Helfrich*



**North Dakota Broadcasters Association**  
Beth Helfrich

*Christine Merritt*



**Ohio Association of Broadcasters**  
Christine Merritt

*Vance Harrison*



**Oklahoma Association of Broadcasters**  
Vance Harrison

*Bob Singer*



**Oregon Association of Broadcasters**  
Bob Singer

*Joe Conti*



**Pennsylvania Association of Broadcasters**  
Joe Conti

*Felix A Bonnet*



**Radio Broadcasters Association of Puerto Rico**  
Felix Bonnet

*Lori Needham*



**Rhode Island Broadcasters Association**  
Lori Needham

*Margaret Wallace*



**South Carolina Broadcasters Association**  
Margaret Wallace

*Steve Willard*



**South Dakota Broadcasters Association**  
Steve Willard

*Chris Baker*



**Tennessee Association of Broadcasters**  
Chris Baker

*Oscar Rodriguez*



**Texas Association of Broadcasters**  
Oscar Rodriguez

*Wendy Mays*



**Vermont Association of Broadcasters**  
Wendy Mays

*Doug Easter*



**Virginia Association of Broadcasters**  
Doug Easter

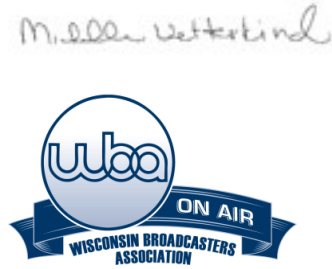




**Washington State  
Association of  
Broadcasters**  
Keith Shipman



**West Virginia Broadcasters  
Association**  
Michele Crist



**Wisconsin Broadcasters  
Association**  
Michelle Vetterkind



**Wyoming Association of  
Broadcasters**  
Laura Grott