

Next-Generation EAS: The Emergency Alert System, Common Alerting Protocol, and National Tests – Oh My!

By: *Scott Friedman and Adriana Kissel*

Small cable operators have plenty on their plates this summer and fall: the 2011 retransmission consent cycle, the FCC’s retransmission consent proceeding, and new CableCARD billing and pricing rules are just some of the hot industry topics. One additional item that should be on everyone’s mind is the FCC’s new Emergency Alert System (“EAS”) rules.

EAS is a national public warning system that requires cable operators, broadcasters and others to provide communications capabilities in national emergencies. The President has responsibility for determining when the EAS will be activated at the national level, and has delegated EAS authority to the director of the Federal Emergency Management Agency (“FEMA”).

Cable operators currently must have EAS equipment deployed to allow for alerts. Recently adopted changes to the EAS rules by the FCC have increased the required functionality of the EAS equipment. Below, we cover two key new components: Common Alerting Protocol (“CAP”) and the first national test.

EAS-CAP Compliance

Where did CAP come from? A persistent problem with a nationwide alert system has been the various information mediums, networks, and devices that deliver alerts. FEMA’s solution is the development of an integrated alert system and common protocol. The result is CAP.

In 2007, the FCC adopted an order requiring cable operators to install equipment capable of receiving CAP-formatted EAS alerts no later than 180 days after FEMA publicly released standards for CAP delivery. FEMA released the standards on September 30, 2010, triggering the 180-day countdown clock for cable operator compliance.

On November 18, 2010, the FCC extended the 180-day deadline to September 30, 2011. As explained below, the FCC has requested comment on whether it should grant another 180-day extension.

What is CAP? FEMA identifies three documents as defining the standards for CAP delivery:

- (i) The OASIS CAP Standard v1.2, setting standards for the baseline message format;
- (ii) An IPAWS Specification to the CAP Standard (CAP v1.2 IPAWS USA Profile v1.0), establishing additional formatting requirements for a standard message; and
- (iii) The EAS-CAP Industry Group’s Recommendations for a CAP-EAS Implementation Guide, Version 1.0 (May 17, 2010), establishing requirements for translating the standard message into a message compliant with EAS protocol.

Together, these documents set forth the requirements that an

alert originator must meet to initiate an alert message in the CAP format to distribute through FEMA’s integrated public alert and warning system to EAS participants.

Now, in simpler terms. CAP is an XML-based open, interoperable, data interchange format for collecting and distributing all-hazard safety notifications and emergency warnings. CAP uses digital technology to permit a consistent warning message to be sent to multiple information networks, public safety alerting systems, and personal communications devices. In addition, CAP permits digital photos and text to be included in emergency alerts.

Now, in even simpler terms. CAP is the future for EAS notifications. Cable operators must have EAS equipment capable of receiving and distributing notifications in CAP format.

When must cable operators have the capability to receive CAP-formatted EAS messages? September 30, 2011 – for now, stay tuned. On May 26, 2011, the FCC released its 3rd Further Notice of Proposed Rulemaking. Among the many questions the FCC requests comment on is whether they should extend the September 30, 2011 deadline for implementing CAP another 180 days. Comments are due July 20, 2011, with reply comments due August 4, 2011.

Upshot. The FCC plans to retain the existing EAS while

About the Authors

Scott Friedman and Adriana Kissel are attorneys with the law firm of Cinnamon Mueller. Scott works with CM’s cable and telecommunications clients on regulatory, transactional and litigation matters. He earned his B.A. from the University of Michigan in 2003, and his J.D. from the University of Wisconsin in 2006. Scott is admitted to practice in Wisconsin and Illinois.



Adriana works with CM’s cable and telecommunications clients on regulatory, transactional and litigation matters. She earned her B.A. from University of Miami in 2004, and her J.D. from University of Miami School of Law in 2007. Adriana is admitted to practice in Illinois and Maryland.



With offices in Chicago, St. Louis, and Washington, DC, Cinnamon Mueller focuses its practice on representing small and medium-sized cable operators. CM is also outside counsel to the American Cable Association, and has been closely involved in ACA’s retransmission consent reform efforts for more than 15 years. For more information, visit www.cm-chi.com.

overlaying CAP alerts through RSS feeds and IP technology. In addition, the FCC requests comment on standards for CAP-compatible EAS equipment, and whether to permit the use of intermediary devices. With the number of important questions still to be considered by the FCC, we think an extension of the deadline is likely. We also believe the FCC may consider hardship waivers once it sets a final deadline. In the interim, all small cable operators should be aware of the requirement for CAP compliance and review the potential costs of compliance.

The National EAS Test

What is it and when? The purpose of the national EAS test is to gather information and evaluate what works within EAS, so that federal agencies can make appropriate improvements to the system. On June 9, 2011, the FCC issued a Public Notice notifying all EAS participants that the first nationwide test of the EAS will occur on November 9, 2011, at 2 PM EST.

How should small cable operators prepare? To prepare for this first nationwide test, EAS participants should: (i) review your state's EAS plans; (ii) review the manner in which you deploy EAS assets – particularly EAS participant encoder/decoder equipment – to minimize any single points of failure within your state's EAS architecture; and (iii) ensure that your EAS equipment operates in compliance with FCC rules.

The Commission will release further information regarding the test through subsequent public notices and through the Public Safety and Homeland Security Bureau's website (<http://www.fcc.gov/pshs/>). □

Emergency Alert Systems by **IDEA/ONICS**

To Meet the FCC Mandate or franchise requirements
Complete Audio & Video or Audio-Only Systems
Compatible with all Headends
RF or IF Solutions — Starting Under \$5,000

IDEA/ONICS 701-786-3904 Fax 701-786-4294
Pioneers in Emergency Alert Systems

Independent Cable NEWS

July 2011 Vol. XIX - No. 5

Robert A. Searle — Editor & Publisher — rsearle@searlepub.com
Phone: 303-730-3006 — Fax: 303-797-0276

Roderick Robles — Associate Publisher — rrobles@searlepub.com
Phone: 805-683-2831

Online independentcable.com

Independent Cable News is published by Searle Publishing Co., Inc.
POSTMASTER: Send change service requested notices to Independent Cable News, 40 West Littleton Blvd. #210-110, Littleton, CO 80120.

Subscriptions: Free to members of ACA and NCTC.

Printed by Hall Commercial Printing, Topeka, Kansas.

Business News

Bright House Promotes Pam Hagan

Bright House Networks has announced the promotion of Pam Hagan to Corporate Vice President of Human Resources. In this role, Hagan is responsible for the overall management of human resources throughout all of Bright House Networks' markets. She will report directly to Steve Miron, CEO of Bright House Networks. Hagan has more than 20 years of experience in human resources management and strategy. Bright House Networks is the sixth largest owner and operator of cable systems in the U.S. with systems located in five states, and serves more than 2.4 million customers with one or more of its video, high-speed data and voice services.

Tim Burke Named President of Jones/NCTI

Tim Burke was recently named President of Jones/NCTI, the provider of training and education in the cable and broadband industry. Burke has been with the Jones organization since 1982, previously serving in a variety of roles such as Group Vice President of Taxation/Administration of Jones Intercable, and most recently, Chief Financial Officer and Vice Chairman of Jones International. Prior to joining the Jones organization, Burke was employed by Arthur Andersen & Co. He received a BA in Accounting and a Juris Doctor degree from the University of Iowa.

HITS Adds New Network to Platform and Secures Renewals with Content Providers

The Comcast Media Center has announced that HITS added SonLife Broadcasting Network to its programming line-up, as well as renewed transport agreements with several network groups. SBN is a Christian multimedia network which offers music, talk-shows, live Church services, studio programs, youth shows and other programming produced at Jimmy Swaggart Ministries. The multi-year renewals include agreements for linear transport rights with network groups such as AETN, Bloomberg Television, Current, Fox Networks, The Inspiration Networks, Outdoor Channel, ShopNBC, TBN Networks and The Word Network for up to 72 channels, including at least 25 HD services, to be transmitted by HITS via satellite and/or fiber delivery. As part of the Fox Networks agreement, HITS also provides transport of on demand content from Fox.

GLDS Introduces Integrated Workforce Management Platform, WinForce Tech

Great Lakes Data Systems, Inc. has announced the general availability of WinForce Tech. The new platform, which is fully integrated with GLDS' WinCable billing and subscriber management system, gives technicians broad controls over the subscriber environment and operators real-time visibility into the status of work being performed in the field. Available as a native Android application, or as a web-enabled platform, WinForce Tech is designed to empower technicians by giving them the tools they need to solve problems in the field – without calling back into the office. For more information, visit <http://www.glds.com>.

American Support Announces New VP; Acquisition of Evergreen Sales & Marketing

Greg Latham has joined American Support as its new vice president for customer care. Latham brings 15 years worth of experience in the cable industry to American Support, where he will oversee call center operations. Prior to joining American Support, Latham served as the vice president for customer care at New Wave Communications and vice president for sales at Galaxy Telecom and Galaxy American Communications.

American Support has agreed to acquire Evergreen Sales & Marketing, a supplier of inbound and outbound call center services to the cable industry. The purchase expands the range of services the two companies can offer their clients. American Support provides billing, technical and customer support services, while Evergreen provides in-bound and out-bound tele-sales, quality assurance, list management and bi-lingual services to cable providers. For more information, visit <http://www.americansupport.com>. □