



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

February 12, 2008

David K. Rehr
President and CEO
National Association of Broadcasters
1771 N St., NW
Washington, DC 20036

Gary Shapiro
President and CEO
Consumer Electronics Association
1919 S. Eads St.
Arlington, VA 22202

Kyle McSlarrow
President & CEO
National Cable & Telecommunications
Association
25 Massachusetts Avenue, NW - Suite 100
Washington, DC 20001

Marc A. Pearl
Executive Director
Consumer Electronics Retailers Coalition
1627 Eye Street, NW - Suite 1000
Washington, DC 20006

Patricia Cooper
President
Satellite Industry Association
1730 M Street, N.W. Suite 600
Washington, D.C. 20036

Dear Mr. Rehr, Mr. McSlarrow, Ms. Cooper, Mr. Shapiro, and Mr. Pearl:

As you know, February 17, 2009 marks the date that the nation's 1,812 full-power television stations make a permanent transition to digital broadcasting. For many of the country's over 7300 low power television stations, including Class A stations and TV translators, however, analog broadcasting will likely continue for some time after this date. As a result, many consumers may receive some programming in digital and some programming in analog even after the transition date.

I am writing this letter to urge you to help address an issue related to the DTV transition that will affect consumers around the country. As you know, consumers with analog televisions who are reliant on over-the-air broadcasting will soon be acquiring the necessary converter boxes to receive digital broadcasts. Many of these boxes, however, do not currently include an "analog pass-through" feature and therefore may limit the analog signals of low power stations. As a consequence, consumers who purchase such boxes may have more difficulty viewing these low power stations.

As you are aware, many low power stations provide important local and diverse programming. Some low power stations may be the only television station in an area providing local news, weather, and public affairs programming. Even in some well-served markets, low power stations may provide the only local service to residents of discrete geographical communities within those markets. Many low power stations also air "niche" programming, often locally produced, to residents of specific ethnic, racial, or special interest communities.

We have proposed a goal of 2012 for all low power stations to transition to digital.

In the meantime, the use of converter boxes without pass through capability may limit consumers, who expect that their television viewing experience will be enhanced, and not harmed, by the transition. I believe each of your organizations can play a role in helping to resolve this problem so that consumers are able to continue watching all broadcast television programming without disruption as they take steps to prepare for the transition.

In particular, I encourage full power broadcast stations to voluntarily partner with low power stations and clear their signals to the extent they have excess digital capacity. We strongly encourage the NAB to help facilitate such arrangements, as a temporary means to assist low power stations through the difficult challenge of conversion to digital operations. This could be accomplished by using a portion of the digital capacity allocated to the full power broadcaster for digital operations and the full power broadcaster's existing facilities. Stations participating in such arrangements should be made whole, and reimbursed for their costs.

In addition, I ask and strongly encourage cable systems and DBS operators to offer expanded carriage of stations in the low power television service on a voluntary basis where they have the capacity. Increased carriage by MVPDs of even just the digital signals of low power stations could prove immensely valuable in ensuring the continued existence of this vital service.

Finally, I request consumer electronics manufacturers and retailers to help address this important issue. Specifically, I encourage manufacturers to implement analog pass-through in all of their converter boxes and request that, at a minimum, all manufacturers produce and make widely available to the public at least one box that is able to pass-through analog signals. I also request that all retailers carry at least one such box in their stores and offer such boxes for online purchase, and publicize the availability of boxes that contain the pass-through feature.

The transition to digital television has been a monumental process and continues to rank among the most vital projects undertaken by the Commission in its history. Consumers have high expectations for lawmakers and industry alike that the transition will be smooth. I call upon you to assist us with this important task by taking the steps we have outlined above.

Sincerely,



Kevin J. Martin
Chairman
Federal Communications Commission