



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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FCC Takes Next Steps in Full Implementation of SHVERA

Washington, DC -- Continuing the implementation of the Satellite Home Viewer Extension and Reauthorization Act of 2004 (SHVERA), the FCC today adopted a *Notice of Proposed Rulemaking* that initiates new satellite broadcast carriage requirements to the noncontiguous United States.

The *Notice* requests comment on rules to implement the requirement that satellite carriers with more than five million subscribers carry both the analog and digital signals of television broadcast stations in local markets in the noncontiguous states. The SHVERA requires satellite carriers to provide these signals to substantially all of their subscribers in each station's local market by December 8, 2005 for analog signals and by June 8, 2007 for digital signals. Currently, satellite providers DirecTV and EchoStar qualify for the satellite broadcast carriage requirements because they have more than five million subscribers.

The *Notice* seeks public comment on a number of issues, such as whether the term 'noncontiguous states' includes territories and possessions such as Puerto Rico and Guam, as well as Alaska and Hawaii. It also seeks comment on the interpretation that satellite carriers' obligation to carry local stations' signals extends to the whole broadcast signal, including multicast digital signals and high definition signals. The proposed rules establish two deadlines for local stations to elect mandatory carriage or retransmission consent: October 1, 2005, for analog signals, and April 1, 2007, for digital signals.

In December 2004, Congress passed the Satellite Home Viewers Extension and Reauthorization Act. The SHVERA amends the 1988 copyright laws and the Communications Act to further aid the competitiveness of satellite carriers and expand program offerings for satellite subscribers. The bill requires the FCC to undertake several proceedings to implement new rules, revise existing rules, and conduct studies within one year of the bill's passage. The adopted rulemaking is required to implement provisions in Section 210 of the SHVERA concerning satellite carriage of local stations in the noncontiguous states.

Action by the Commission April 29, 2005, by Notice of Proposed Rulemaking (FCC 05-92).
Chairman Martin, Commissioners Abernathy, Copps and Adelstein.

Docket 05-181

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