



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

March 2, 2009

The Honorable Joe Barton
Ranking Member
Committee on Energy and Commerce
U.S. House of Representatives
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Barton:

Thank you for your February 18, 2009 letter regarding the ongoing transition by full-power broadcast television stations to digital-only operation. You discuss three specific proposals that the Commission and the National Telecommunications and Information Administration (NTIA) should consider to improve consumer outreach and education related to the DTV transition.

Like you, I believe that all consumers should receive timely information about when their local stations will terminate analog operations so viewers can take the actions necessary to continue to receive and enjoy their stations' programming after the transition. Please be assured that the Commission has required, and will continue to require, each broadcaster to provide us advance notification of when it intends to transition, and we will continue to make this information an integral part of our ongoing consumer education and outreach program.

With this objective in mind, and in anticipation of the adoption of the DTV Delay Act, the Commission initiated a thorough review of its pertinent rules so that it could receive transition information from each station licensee and provide it to the public in a timely manner. We released a *Public Notice* specifying the procedures to be followed by stations electing to transition on the previous February 17 deadline. Once this notification process was completed, Commission staff worked with various licensees to ensure the continued availability of analog service to viewers in as many markets as possible. The Commission then published a list of all full-power television stations, identifying those making the transition on or before February 17. A link to this list was posted prominently on the introductory page of the Commission's website dedicated to the digital transition (www.dtv.gov).

In the days leading up to February 17, the Commission also analyzed the transition dates received from licensees to reassess and retool its consumer outreach program and to redeploy staff and key resources to those markets in which stations were transitioning. At the same time,

the Commission also mobilized an expanded and coordinated 24-hour Call Center, in conjunction with industry organizations, to assist in handling consumer telephone inquiries and requests for assistance.

Going forward, applying the lessons learned in the February 17 transition, we have again reviewed and revised our DTV procedures and outreach program to take us through June 12 with special emphasis on making the transition information that we receive from each remaining analog station available to the public as soon as possible. In this regard, the Commission recently released a *Second Report and Order and Notice of Proposed Rulemaking* implementing and proposing revised procedures for those stations that have continued their analog operation after February 17. By March 17, licensees are requested to provide the Commission with a binding notification of when they plan to transition, and may not terminate analog operations until at least thirty days from that notification deadline. The Commission also extended the on-air consumer education obligations of broadcasters, and proposed to revise the content and nature of the consumer education efforts of broadcasters transitioning early to allow them to better communicate pertinent information to viewers. We also proposed to require stations affiliated with major networks that are transitioning early to engage in more extensive consumer outreach activities both on and off the air. In order to ensure that viewers have continued access to emergency, news and public affairs programming, the Commission proposed applying criteria to our evaluation of the early transition proposals of network stations similar to that used in evaluating the February 17 transition. The Commission will act expeditiously on these proposals once our staff reviews and considers public comments that will be received during the next week.

These procedures will allow the Commission to advise viewers well in advance of their local stations' plans, both by posting a list containing this information on the DTV website and including that information in all continuing consumer outreach. We also will continue to use this information in coordinating with local governments, broadcasters, multichannel video programming distributors, manufacturers, retailers, outreach contractors, organizations and volunteers. By doing so, DTV partners and stakeholders can work together and deploy targeted and effective outreach, as well as assure the availability of converter boxes, coupons, construction crews, and telephone banks in affected markets; and evaluate and adjust deployment of outreach resources to relevant markets to prepare the public most effectively for the DTV transition.

Finally, you propose that the procedures to address requests for replacement and new digital converter box coupons should give priority to consumers who rely exclusively on over-the-air television service, particularly in markets where broadcasters are transitioning before June 12. As you know, the digital converter box coupon program is administered by NTIA and, therefore, I believe it would be appropriate for NTIA to respond to you directly regarding the recommendations related to the coupon program.

Page 3—The Honorable Joe Barton

Thank you for sharing your thoughtful recommendations to improve consumer education and outreach related to the DTV transition. Please do not hesitate to contact me if I can be of further assistance.

Warm regards,



Michael J. Copps
Acting Chairman