



# PUBLIC NOTICE

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DA 08-2264  
Released: October 10, 2008

## TELEVISION STATIONS REMINDED TO UPDATE THEIR FCC FORM 387 - DTV TRANSITION STATUS REPORT BY OCTOBER 20, 2008

In the *Third DTV Periodic Review Report and Order*,<sup>1</sup> the Commission announced that all television stations must file a DTV Transition Status Report using FCC Form 387 on or before February 19, 2008.<sup>2</sup> The Commission also stated that stations must update these forms as events warrant<sup>3</sup> and, by October 20, 2008, if they have not by that date reported the completion of their transition, *i.e.*, that they have begun operating their full facility as authorized by the post-transition DTV Table Appendix B.<sup>4</sup> By this Public Notice, the Media Bureau reminds television stations of their obligation to update their DTV Transition Status Reports by October 20, 2008.

All television stations that have not reported on their DTV Transition Status Report that their post-transition DTV facilities are “fully operational,” must update their DTV Transition Status Report by October 20, 2008. Stations should report the current status of their efforts to complete their post-transition DTV facilities and should report any change to the information contained in their previous DTV Transition Status Report, including a change in the station’s (1) transition plans, (2) construction or operational status or (3) existing service (e.g., reduction or termination of analog or pre-transition digital service).<sup>5</sup> In addition, stations that have not already reported such filings, must report if they have filed or plan to file: (1) an application for extension of time to complete construction of their full authorized post-

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<sup>1</sup> Third Periodic Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television, MB Docket No. 07-91, *Report and Order*, 23 FCC Rcd 2994, ¶34 (2007)(*Third DTV Periodic Review Report and Order*).

<sup>2</sup> The original filing deadline of February 18, 2008 was extended by one day because February 18, 2008 was a federal holiday. See “Third DTV Periodic Report and Order Published in Federal Register Today,” *Public Notice*, 23 FCC Rcd 906 (MB 2007).

<sup>3</sup> The Commission also reminded stations that they are responsible for the continuing accuracy and completeness of the information furnished in their form and that whenever that information is no longer substantially accurate and complete in all significant respects, the station must file an updated form as promptly as possible and in any event within 30 days to furnish such additional or corrected information as is appropriate. See *Third DTV Periodic Review Report and Order*, *supra* at ¶35 citing 47 C.F.R. § 1.65(a) and 47 U.S.C. § 308(b).

<sup>4</sup> *Third DTV Periodic Review Report and Order*, *supra* at ¶35.

<sup>5</sup> Stations should note that changes to analog service must be reported in Section V – Analog Service and, if necessary, in an explanatory exhibit. Changes to the station’s pre-transition digital service should be reported in an explanatory exhibit. Stations planning a service (analog or digital) reduction or termination within the last 90 days before the February 17, 2009 transition date (*i.e.*, after November 19, 2008) must report this plan on their Form 387. We note that such reductions or terminations may be done without prior Commission approval provided that at least 30 days notification is given to the Commission and the station airs viewer notifications for 30 days before the service reduction or termination. See *Third DTV Periodic Review Report and Order*, *supra* at ¶¶133-134.

transition digital facility; (2) any and all applications for digital construction permit (including applications for post-transition digital operation, modification or maximization); (3) a request for STA for “phased transition;” (4) a notification of or request to reduce or terminate analog or digital operations before February 17, 2009; and/or (5) a petition for rulemaking to change their post-transition DTV channel.

Although detailed explanations concerning the DTV transition status may be filed as an exhibit, stations must complete all relevant boxes on their DTV Transition Status Report. For example, stations with post-transition DTV facilities that are not yet fully operational must provide the “Expected Operational Date” in Section III, Question 2 and “Expected Construction Date” in Section III, Question 3. These dates should be the date the station expects to actually complete construction and begin operating its post-transition DTV facility and not the station’s current construction deadline, unless these dates are the same. This information is important in order to determine whether stations are on track to complete the DTV transition on time.

Stations are encouraged to use this opportunity to indicate in Section VI of their Form 387 if they anticipate that their digital coverage area will no longer cover all of the viewers served by their analog signal. If such a result is anticipated, stations may estimate how many or what percentage of analog viewers will not be within the station's authorized digital contour and whether any of these viewers will have digital service from another affiliate of the same network. Stations can also use Form 387 to report if they anticipate that new digital interference will prevent digital service to their current over-the-air analog viewers.

In order to continue to track the construction efforts of all television stations, we encourage all television stations that have reported that their post-transition DTV facilities are “fully constructed” but that have filed a maximization application, to update the status of their construction efforts on their Form 387.

Stations must continue to file updates until their post-transition DTV facilities are “fully operational” and such has been reported on their DTV Transition Status Report.

Form 387 must be updated electronically using the Commission’s Consolidated Database System (“CDBS”) Electronic Filing System via the Internet from the Media Bureau’s Web site at: <http://www.fcc.gov/mb/cdbs.html> or [http://fjallfoss.fcc.gov/prod/cdbs/forms/prod/cdbs\\_ef.htm](http://fjallfoss.fcc.gov/prod/cdbs/forms/prod/cdbs_ef.htm).

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