

**SEPARATE STATEMENT
OF COMMISSIONER MICHAEL J. COPPS**

*In the Matter of: Review of the Commission's Rules and Policies
Affecting the Conversion to Digital Television*

The Commission's decision today strikes a balance between moving the digital transition along on schedule and providing a measure of flexibility to stations as they build and upgrade their digital facilities within that time frame.

Pursuant to a Congressional directive, the FCC several years ago implemented an ambitious schedule for the transition to digital television. Many of the nation's television broadcasters have done a commendable job of getting their DTV stations up and running in accordance with that schedule. The NAB has reported that as many as two thirds of the nation's commercial television stations will be on the air with a digital signal by May of 2002.

Nevertheless, it appears that certain stations – particularly stations in smaller television markets – are facing costs that make it difficult if not impossible for them to meet the May deadline. Some of those costs may be related to the need for maximization of their digital signals and replication of their analog signal areas by upcoming deadlines. In order to minimize the immediate impact of those costs, we will defer the maximization and replication deadlines, and will set new deadlines that in no case will be later than the deadline for digital conversion prescribed by Congress. I am pleased that this Order so strongly reaffirms this deadline.

For those stations facing unexpected financial obstacles, not relieved by the deferral of the maximization and replication deadlines, and despite their good faith attempts to meet the May 2002 construction deadline, we will consider waiver applications. We will permit individual stations to apply on a case-by-case basis for six-month waivers of the May deadline due to lack of financial resources. I do not expect that stations will apply for these waivers absent genuine hardship, nor that the Bureau will grant them without such showing.

Finally, I am pleased that the Commission did not travel down the path of issuing a general waiver. That would have been unfair to those who are moving toward full performance and it would have been too lenient on those less far along.