



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

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See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

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NEWS MEDIA CONTACT
Michelle Russo (202) 418-2358

FCC BEGINS PROCESS TO BRING DIGITAL TV TO RURAL AMERICA ***Rural Areas to Get New Services as DTV Transition Takes Another Step Forward***

Washington, DC – The Federal Communications Commission (“FCC”) today took an important step toward bringing digital TV service to rural America, thus furthering progress in the transition to nationwide DTV service. Recognizing the challenges presented by limited spectrum availability and the limited budgets of many stations in the Low Power Television Service (“LPTV Service”), the FCC seeks a regulatory framework that will provide flexible and affordable opportunities for extending digital television opportunities to rural communities and to other communities served by stations in the LPTV Service.

In a *Notice of Proposed Rule Making* (“NPRM”) adopted today, the FCC seeks comment on a wide range of legal, technical and policy issues related to the digital conversion and new authorization of stations in the LPTV Service, which includes the following types of stations:

- **LPTV (low power television) stations:** LPTV stations may rebroadcast TV signals and originate imported or locally-produced programming in any amount. Approximately 2,100 LPTV stations serve rural communities and discrete geographic communities in urban areas. Many provide the community’s only local news, weather and public affairs programming.
- **TV translator stations:** A TV translator station simultaneously rebroadcasts the programs of full-service TV broadcast stations without altering any characteristic of the signal other than its frequency and amplitude. A translator station may locally originate emergency warnings and not more than 30-seconds per hour of public service announcements and messages related to its financial support. Translator stations typically serve communities that cannot receive the signals of free, over-the-air TV stations due to large geographic separations or intervening terrain. Most of the 4,700 licensed TV translator stations are in the western mountainous states.
- **TV booster stations:** A television booster station simultaneously retransmits the programs of a TV broadcast station on that station’s TV channel. Booster stations are licensed only to full-service TV broadcast stations for the purpose of providing signal coverage to terrain-shadowed portions of the station’s service area.

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The NPRM tentatively concludes that digital translator stations should be technically capable of retransmitting the complete signals of DTV broadcast stations for reception by the general public. It seeks comment on translator local message insertions and, more generally, the extent to which digital translators should be permitted to alter the content or video format of DTV signals. The NPRM tentatively concludes that digital LPTV stations must broadcast a video programming service at no charge to viewers having a video resolution at least comparable to that of an analog TV signal, but should be permitted to use the remaining digital channel capacity to provide ancillary and supplementary services.

Due to the limited spectrum availability in many areas of the country, the NPRM proposes TV channels 2-13 and 14-59 (except channel 37, which is reserved for radio astronomy) to be made available for digital LPTV and TV translator stations. It seeks comment on whether TV channels 60-69 should also be made available for digital low power service during the transition. The “lower” and “upper” 700 MHz spectrum comprising TV channels 52-59 and 60-69, respectively, has been reallocated for new primary services, including commercial wireless and public safety services. The NPRM seeks comment on whether this spectrum should be made available for digital low power service when applicants can demonstrate the unavailability of other television channels.

All stations in the LPTV Service, including future digital stations, are secondary to and must not interfere with TV and DTV broadcast stations, certain land mobile radio operations and other primary services. The NPRM seeks comment on the means of analyzing potential interference from digital low power stations to primary services and whether the current contour protection methodology used with analog LPTV stations should be replaced with the more flexible and accurate DTV interference prediction methodology. It proposes for digital LPTV and TV translator stations the protected signal contour values the FCC adopted for digital Class A TV stations.

With regard to application filing procedures, the NPRM tentatively concludes that a high priority should be given to facilitating the digital transition of existing analog LPTV and TV translator service stations. Regarding the authorization of new digital stations, the NPRM seeks comment on an initial digital-only application filing window with eligibility restricted to incumbent LPTV, TV translator and Class A TV licensees, to be followed by a separate filing procedure of ongoing “rolling one-day” filing windows – essentially a first come, first served filing system.

The NPRM seeks comment on whether certain statutory provisions for the termination of analog TV service apply to authorizations in the LPTV Service and, if not, whether the FCC should consider establishing a trigger-based mechanism for this purpose, like that for full-service stations, but also accounting for the significant difference between full-service and low power stations.

The NPRM seeks comment on whether the FCC should establish an on-channel digital booster station class in the LPTV service and, if so, what rules should govern such stations. The NPRM also considers other issues related to digital low power equipment and station operations.

Action by the Commission, August 6, 2003 by NPRM (FCC 03-198). Chairman Powell, Commissioners Abernathy, Copps, Martin and Adelstein.

MB Docket No. 03-185

Comments due: 60 days from publication in the Federal Register

Replies due: 90 days from publication in the Federal Register

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Media Bureau contact: Keith Larson at (202) 418-2607. TTY: (202) 418-7172