

**Statement of Commissioner Jonathan S. Adelstein,
Approving in Part and Concurring in Part**

Re: Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Digital Low Power Television, Television Translator, and Television Booster Stations and to Amend Rules for Digital Class A Television Stations, Report and Order

I'm pleased we're moving the digital transition forward for low power television stations and the many viewers living in our rural communities who rely on them.

Thousands of translators and low power stations across our country fill a vital need as the primary source of over-the-air television for people in Rural America. As I've seen firsthand, often these stations are the only station in an area providing local news, weather, public affairs and emergency programming. They are operated by a diverse range of the public, including individuals, schools, churches, local governments, and minority groups. Their modes of operation and programming vary widely, with some stations airing the most locally-produced programming among all broadcasters and others broadcasting important news and information in several languages. The conversion to digital, and the ability to offer ancillary and supplementary services, should bring opportunities for even more innovation and local programming services for these stations.

Today's comprehensive item lays out the avenues available for the transition of low power services to digital. Opportunities for low power operators to convert existing stations and to apply for transitional companion channels where feasible will encourage the overall rollout of digital services in these areas. I am mindful of the dual challenges of limited spectrum availability and limited finances of many stations in the low power service. The Order appropriately protects full power broadcasters and other primary services like public safety and wireless services, while seeking to minimize any disruption to viewers who rely on low power operations.

Yet I do not find the statutory direction compelling the auction of mutually exclusive low power temporary companion channels as unambiguous as the item declares. The item's cursory analysis fails to take into account significant aspects of this unique situation, including the temporary nature of the licenses and their role in promoting the digital transition, the status of municipality-owned stations, and that some of these stations may ultimately be digital Class A stations subject to full power transmission standards. Wherever legally and practically possible, digital low power stations should be given the same ability to ensure a smooth transition for their viewers as full power stations. I trust that we will use engineering solutions extensively to resolve conflicts.

Despite today's positive step in accelerating the transition for low power stations, other work remains to be done. Issues involving the qualification of Class A stations and public interest responsibilities for digital operation have yet to be resolved. As I have

emphasized with respect to full power stations, providing certainty on public interest requirements of broadcasters in the digital age is just as important as laying out further mechanics of the transition. We should not overlook this crucial step as we fulfill Congress's vision of an enhanced digital viewing experience for all Americans.