



NEWS

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

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FCC Advances DTV Channel Election Process

Washington, DC – The Federal Communication Commission (FCC) today moved closer to completing one of the DTV transition’s key remaining tasks: determining permanent digital channels for the nation’s TV broadcasters.

In the *Second DTV Periodic Report and Order*, released August 2004, the Commission adopted a multi-round channel election process by which TV broadcasters would receive their ultimate DTV channel inside the “core” broadcast spectrum (channels 2-51). In February 2005, nearly all TV broadcasters, over 1,700, filed an election for their channel preference for final DTV operations with the FCC. Of that number, 1,628 stations elected either their existing NTSC (analog) or digital channel. Another 50 stations elected to forego a Round One election and participate in Round Two. In addition, 62 stations participated in 37 Negotiated Channel Arrangements (NCAs) that were filed with the FCC. In an NCA, stations within a market were permitted to enter into an agreement to elect channels other than their own, so long as every station potentially affected was included in the agreement.

Today, the FCC took two important steps towards creating a Final DTV Table of Allotments. First, the Media Bureau released an *Order* approving 25 NCAs and rejecting 12 NCAs. The stations participating in the approved NCAs will receive tentative channel designations for the channels contained in the agreements; the stations participating in the rejected NCAs reverted to their alternate channel elections and were considered during the general Round One conflict analysis.

Second, the Commission sent approximately 155 conflict letters to stations that elected their NTSC channel for digital operation but FCC engineering analysis indicated would result in impermissible interference. The stations now have 60 days to inform the FCC how they will resolve the interference conflict.

The Commission will complete Round One later this summer and commence Round Two elections in the fall. In the *Second DTV Periodic Report and Order*, the FCC announced its plan to issue a *Notice of Proposed Rulemaking* proposing a new DTV Table of Allotments by August 2006, and is committed to meeting this deadline. An updated channel election timeline is attached.

--FCC--

DTV Channel Election Timeline

February 2005:

- First round elections filed; in-core licensees file elections.

June 2005:

- Media Bureau issues decision approving/rejecting Negotiated Channel Arrangements (NCA) Stations with rejected NCAs revert to alternate channels;
- Round One conflict letters issued by Media Bureau.

August 2005:

- Licensees file conflict decision forms with Media Bureau.

September 2005:

- Round Two elections to be filed with Media Bureau;
- Public Notice listing NCAs, if any, filed in Round Two and setting comment dates.

October 2005:

- Round Two conflict letters issued by Media Bureau.

December 2005:

- Licensees file conflict decision forms with Media Bureau.

February 2006:

- Round Three elections to be filed with Media Bureau;
- Public Notice listing NCAs, if any, filed in Round Three and setting comment dates.

March 2006:

- Commission to resolve remaining conflicts among third round elections;

August 2006:

- Commission to issue Notice of Proposed Rulemaking proposing new DTV Table of Allotments.