

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

CONSUMER ADVISORY COMMITTEE MEETING

Federal Communications Commission

445 12th Street, S.W.

Room TW-C305

Washington, D.C.

Friday, November 2, 2007

1 A T T E N D A N C E

2 AARP, Joe Reed

3 Alaska State Department of Law, Lew Craig

4 Alliance for Community Media, Gloria Tristani

5 Benton Foundation, Charles Benton

6 Cablevision Systems Corporation, Dodie P. Tschirch

7 Call For Action, Shirley Rooker

8 Communication Service for the Deaf, Karen Peltz Strauss

9 Communications Workers of America, Teri Pluta

10 Consumer Action, Ken McEldowney

11 Consumer Electronics Association, Julie M. Kearney

12 Consumer Federation of America, Paul Schlaver

13 Consumers Union, Joel Kelsey

14 Digital Television Transition Coalition, Debra Berlyn,

15 Chairperson

16 Eastern Band of Cherokee Indians, Brandon Stephens

17 (by telephone)

18 EchoStar Communications Corporation, Brad Gillen

19 Hawaii State Public Utilities Commission, Commissioner

20 John Cole

21 Hearing Loss Association of America, Janice Schacter

22 National Association of Broadcasters, Doug Wiley

1 National Association of Regulatory Utility

2 Commissioners, Commissioner Nixyvette Santini

3 (by telephone)

4 Parents Television Council, Dan Isett

5 Southern Growth Policies Board, Jim Clinton

6 Verizon Communications, Inc., Richard T. Ellis

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

1 P R O C E E D I N G S

2 [9:05 a.m.]

3 CHAIR BERLYN: If everyone could please take
4 a seat so we can get started. Good morning, everyone.

5 We're going to have a very quick start to our
6 meeting. We'll do welcomes afterwards. We are
7 fortunate enough --

8 I'm going to give everybody about another 60
9 seconds to find your chair, 40 seconds. And, actually,
10 the food and coffee will remain, so if you haven't
11 gotten any yet, you could just take your seat and grab
12 it in about 15, 20 minutes or so.

13 Well, welcome, everyone, to our second
14 Consumer Advisory Committee Meeting. I'm really
15 pleased that so many of you were able to make it. And
16 I know some of you came from great distance and -- to
17 be here. So, thank you very much.

18 We have a very busy day ahead of us, as you
19 can tell from our agenda. We're going to have a panel
20 on DTV, starting in about an hour, that will be real
21 helpful, I think, for all of us as we proceed and
22 consider all the issues involved with the digital

1 television transition.

2 And we have several speakers before our panel
3 this morning. And I am very pleased to introduce our
4 first guest, Commissioner Copps, who has been kind
5 enough to come down to welcome us this morning.

6 Commissioner Copps?

7 MR. COPPS: Thank you very much, everybody.
8 Welcome to the FCC.

9 I do not have a speech or any prepared
10 remarks, so I just want to talk frankly with you for a
11 few minutes before you set sail on your work.

12 This is, I think, probably the most important
13 work that will be done at the FCC today, is what you
14 guys are doing, so I want to mention just a couple of
15 the topics before you.

16 First, I know, is the DTV transition, and I
17 want to thank you for all of the good work that you
18 have already done on the consumer education
19 recommendations and PSAs and all of that. And we're
20 going to try to take that and run with that, and
21 improve that a little bit, and make sure they're --
22 that those recommendations are carried out in the

1 spirit with which you formulated them. I think we have
2 one or two things that we need to improve in the item
3 that's going to be circulating around, such as making
4 sure we have closed captioning and things like that.
5 And I want to make sure, when this thing gets
6 administered, when the broadcasters step up to the
7 plate and say we're going to do all these PSAs, I think
8 that's wonderful, I think that's fine, but I also want
9 to make sure that that's not an excuse for a lot of
10 other good and worthwhile and needed PSAs to get dumped
11 along the way. I don't want just a process of
12 replacement here. I think it's a real commitment. We
13 should see a lot of additional PSAs.

14 I continue to be worried about this process.
15 I just got back, week before last, from the United
16 Kingdom, and I went over there specifically to watch
17 the first phase be implemented of the DTV transition
18 over there. I was worried about our transition before
19 I left here; I am downright scared right now.

20 What they're doing over there is implementing
21 a transition in a phased sort of way. And when we were
22 there they did the first stage, which was pulling the

1 lever on one station in one town of 25,000 people, and
2 then monitoring that, and going in and evaluating it,
3 and then coming back 3 weeks later and pull the rest of
4 the stations, turn them to digital, in that one town.

5 Now, what they're doing over there, in this
6 country of 60 million people, is spending \$400 million
7 -- \$400 million; contrast that with NTA's \$5 million
8 for 300 million people -- \$400 million for outreach to
9 60 million people. And this is just a little sample of
10 some of the things they're doing.

11 Every consumer is contacted at least twice,
12 personally. And they have all these little pamphlets,
13 "Your Guide to the Switchover." They're done by
14 regions. If you're in Wales and happen to speak Welsh,
15 that's fine -- you can turn it one way, it's English;
16 and you can turn it the other way and it's in Welsh.
17 So, that's very nice. They do quarterly reports, they
18 do annual reports, they have DVDs. It's all over
19 television when I was there in London, even though the
20 action wasn't taking place in London that day. The
21 fellow that runs the thing was all over TV.

22 So, they do the monitoring. They'll go in,

1 and they'll see exactly what the people's difficulties
2 were, where the problems were. They go in -- if you
3 are an elderly citizen or disabled, they not only come
4 to your house to explain all of this, but they come and
5 hook up whatever needs to be hooked up. If grandpa or
6 grandma or someone like me wouldn't know how to hook up
7 that box, or some of these new antennas that are pretty
8 sophisticated looking, they do that for you. And
9 they're doing this, region by region.

10 Over here, we're throwing the dice that, on
11 one day, on February 17th, 2009, we can just pull that
12 lever and the whole country'll be well. I don't see
13 how that's going to work without, just, a herculean
14 effort between now and then.

15 When I was in the Clinton administration, I
16 was very actively involved in the Y2K program. I can't
17 remember a week that went by, for probably a year or
18 more before that, that we didn't have intra-agency
19 meetings, interagency meetings. John Koskinen would
20 haul us over to the White House frequently. The closer
21 we got, the more frequently. We did outreach to
22 business. At the end of the day, people said, "Well,

1 you didn't need to do all that. It wasn't such a big
2 problem." Wouldn't that be nice if they said that on
3 February 18th, 2009, "What was the big problem all
4 about? Why did folks get so excited?" It would be
5 nice, but it's not going to happen.

6 So, I think the first thing we need to do is
7 have central direction. Whether that's in the White
8 House or here or somewhere, there ought to be an
9 interagency task force that ought to have that
10 visibility. It ought to come out of the White House, I
11 think, so it really gets people's attention, gets
12 industry's attention, and helps get the message out.
13 It's a huge, huge problem. I think Members of Congress
14 are only now really beginning to realize that they
15 might not want to be in their office on the morning of
16 February 18th, 2009, when all those calls come in.

17 So, don't be bashful in any further
18 recommendations you're going to make. Don't be
19 bashful. Push, push, push.

20 And I'd really say that, I think, with regard
21 to everything that's before you. You know, there's so
22 much going on here. Most of what we do has consumer

1 implications. But -- I know you've got this DTV
2 central to your agenda. But figure out your own
3 agenda. If you want to modify that agenda, if you want
4 to add to that agenda as we go along, I think you ought
5 to do that, because we need your input, we need your
6 advice.

7 I know you've done wonderful, good work on
8 the public-interest obligations. It strikes me as kind
9 of tragic that we're going into the last stages of the
10 DTV transition without having any public-interest
11 obligations for DTV broadcasters. That was kind of
12 central to the whole Presidential Advisory Committee
13 years ago. That proceeding has been wasting time
14 around here since 1999. Why do we have to rush to do
15 ownership in December? What's so urgent about that,
16 that we can't finish public-interest obligations? Why
17 can't we tee up localism seriously? We're going to get
18 this, this rush job and maybe a quick little report,
19 and put out an NPRM, and we've done our job on
20 localism. How can you -- how can you vote on ownership
21 until you understand the implications of localism,
22 what's happened on the local front, in terms of

1 diminished news, homogenized entertainment, a
2 denigrated civic/democratic dialogue? All of these
3 things are affected by so many rules, we ought to be
4 looking at this in totality and figuring out, How do we
5 get that localism back? Is it through a licensing
6 process? Get rid of this silly -- send in a postcard
7 every 8 years, and we sent you the license by return
8 mail. Wouldn't it be nice if we could go back to
9 something like we used to have, where, every 3 years --
10 it wasn't micromanagement, it wasn't super-regulatory,
11 it wasn't burdensome; we just took that license
12 application every 3 years, and laid it across the table
13 from a list of 14 public-interest guidelines. It
14 wasn't the 14 commandments, you didn't have to observe
15 each one to the letter, but you make a judgment, "Well,
16 yeah, this station seems, on balance, to be doing a
17 good job." That's how you get public interest back.

18 So, we don't blame the broadcasters alone for
19 what's happened; blame the FCC. Asleep at the switch
20 is a good interpretation; part of a bad plan is the
21 more accurate interpretation, going back to 1980, when
22 we had the chairman here who said, "Oh, a television

1 set's nothing but a toaster with pictures," and that's
2 how they proceeded to treat it all these years. So,
3 what you've had is this confluence of deregulation
4 accompanying a tsunami of consolidation, and you've got
5 an industry that basically is presenting huge
6 challenges to the American people right now. We have a
7 chance to do something about it. We have to stop this
8 mad rush to judgment. And I think this committee, with
9 the experience it has, with the recommendations you
10 already made on public-interest obligations, you've got
11 to bring these things back, front and center, in the
12 next couple of months or the battle's going to be over.

13 So, I think it's really, really an important
14 time for this committee to be active across the whole
15 gamut of these issues, and whatever else you think is
16 important. So, don't just let somebody say, "Well,
17 this is your job, here, and don't meddle over here."
18 That's not the way committees get run.

19 And these committees are valuable. When I
20 was at the Commerce Department, I used to administer
21 the industry sector advisory committee process, and we
22 had, I think, 16 ISACs and four or five IFACs. We

1 called 'em Functional Advisory Committee, the
2 Presidential Export Committee. And I know, from
3 experience, that folks like you sacrifice a lot to get
4 here. It's not easy, costs time, costs money. But
5 your recommendations are valuable, and I know recently
6 they haven't received, I think, the kind of attention,
7 in some instances, that they should have, but you can
8 rest assured that I'm going to be doing my best to make
9 sure that any further recommendations come out here to
10 do get the attention that they deserve.

11 So, I just thank you all for the effort you
12 make, for coming here, for addressing these issues.
13 And I wish you godspeed, and my doors, as you know, are
14 always open, always happy to meet with any and all of
15 you. And I wish you good luck in your deliberations
16 today and in the future.

17 Thanks. Appreciate it.

18 [Applause.]

19 CHAIR BERLYN: Thank you, Commissioner Copps.
20 We appreciate your coming down and talking to us, and
21 your support of the work that we do here.

22 We have an abundance of riches this morning.

1 We are pleased to introduce another commissioner.
2 Commissioner Adelstein has joined us this morning to
3 also offer some brief remarks.

4 And, welcome.

5 Thank you, Commissioner.

6 MR. ADELSTEIN: Well, thank you, Debra.

7 And thank you all so much for serving. I see
8 so many friends out there, real consumer advocates,
9 people in the industry who care about this issue.

10 I think Commissioner Copps did us all a great
11 service by going to England. I mean, we really learned
12 something from what he did. But it kind of makes me
13 wonder, Why is one lone commissioner the only one who
14 went out to England to find out what they're doing?
15 Why is it that we don't have a systematic effort to
16 find out what's happening in other countries, and
17 compare and contrast with what we're doing, and really
18 have an organized system? You know, thank God we have
19 somebody like Commissioner Copps who's doing this, and
20 he's bringing to everybody's attention, like Paul
21 Revere, "This is what they're doing in England. This
22 is what we're doing here." And people, frankly, are

1 shocked. I was shocked. And I was already worried
2 about the state of the transition. So, we really need
3 your help.

4 I think many of you know that it was a year
5 and a half ago that I issued a call to action to both
6 the private industry leaders and my colleagues in the
7 Federal Government to develop the National Education
8 Campaign. Since then, I've testified before the Senate
9 Aging Committee, the Senate Commerce Committee, and I'm
10 calling for more planning, more coordination, and more
11 outreach. Over a year later, after this call to
12 action, the GAO testified, just last month, "There's no
13 plan, and nobody is in charge." I think that's
14 reflected in what Commissioner Copps is telling us.
15 This looks nothing like the Y2K effort. And the best
16 news we could ever get is what we got the day after
17 Y2K, when nothing happened. That's what we want to
18 hear again, we want to hear silence. We don't to hear
19 a lot of thanks for all the hard work we did; we just
20 want to hear "no problems." And I don't think we're
21 going to get there unless we completely upgrade our
22 efforts.

1 I think we need to generate a lot more energy
2 and enthusiasm about this transition. We need to avoid
3 generating national confusion and hysteria because
4 there's lack of information, a lot of people get taken
5 by surprise. I was on -- we've been on the Hill,
6 talking to folks, and they're really worried, too. I
7 mean, I think Members of Congress are starting to get
8 concerned, because they remember the times when there's
9 been outages of television. During the impeachment,
10 there was an issue about a couple of million people
11 losing their satellite service. They got more calls on
12 that than they got about the impeachment of the
13 President of the United States. And this was just a
14 small group of people. So, if we have a problem here,
15 it's going to be overwhelming. And people take their
16 TV, as you well know, very seriously. We've got get
17 this right. Now is the time for us, as government
18 officials obligated to serve the public interest, and
19 business leaders, consumer leaders like yourself, to
20 get serious about educating everybody in this country
21 and getting a plan together. It's not just education.
22 Once we do that, we have to have an implementation

1 plan. There's no implementation plan. Who's going to
2 help these seniors hook up? Who's going to help people
3 with disabilities hook up these converter boxes? Who's
4 going to help them get out? How is that going to
5 happen in 1 year? I'm extremely concerned about what's
6 going to happen here.

7 So, you know, we've made some progress,
8 principally because of people like you. That's why I
9 came down here to talk to all of you. I'm sorry I
10 wasn't officially on the agenda here. I don't know how
11 that happened. I don't know why we don't even get
12 called in to be -- let us know. But we come down,
13 because we care about this issue. And I want to
14 commend all of you. I want to commend industries, too
15 -- consumer electronics, cable, broadcasting
16 industries, along with NTIA and the FCC, particularly
17 Cathy Seidel and her team at the Consumer Governmental
18 Affairs Bureau, are doing everything they can. But I
19 don't know if they're getting enough guidance. I don't
20 think they're getting enough resources. So, I want to
21 thank the CE manufacturers, CE retailers, NCTA, and NAB
22 and MSCV for forming the DTV transition coalition.

1 It's been a really critical part of this effort. It
2 seems to me that if the private sector can do that,
3 organize itself, why can't the government sector
4 organize a coordinating body to do the same thing?
5 That should be a model for us.

6 I want to thank, of course, our Consumer
7 Advisory Committee chair, Debra Berlyn, and Charles
8 Benton, and others who really submitted an excellent
9 set of comments for -- in our Consumer Education
10 Initiative proceeding, and so many of you who
11 contributed to that.

12 I'm pleased that, after a little prodding
13 from Congress, the FCC's finally acknowledged that the
14 Commission is responsible for guiding the American
15 people through this transition. And GAO told us that
16 we should be the lead agency. And we need to lead the
17 public dialogue in a coordinated national consumer
18 effort. You know, again, there was -- there's a lot of
19 ads that are running, and they're fantastic, but it
20 would be nice if somebody was kind of coordinating the
21 message. And we can't expect private industries, that
22 have their own self-interest at heart -- and we don't

1 blame 'em, that's the way the government works -- or
2 that's the way the private sector works -- but the
3 government can play the role of referee, making sure
4 that everything's coordinated, that we push people in
5 the right direction. We can't tell 'em what to do with
6 their \$600 million that they're going to spend. We can
7 thank them for it, and we can make some helpful
8 suggestions. And I've found that they take 'em. I
9 mean, I called the cable folks, and I was concerned
10 about their first ad; they improved it greatly, and
11 they ran the next script by me, and it turned out it
12 had a incorrect thing, it said that "all TVs are going
13 to go digital." They're not. Who's talking about the
14 community broadcasters? Who's talking about the 7,000
15 translators and low power and Class A's that aren't
16 going to go? And what message are they going to send?
17 And how are we going to explain the subtleties of that,
18 when even the big industries don't know? And why is it
19 -- again, like Commissioner Copps going out to England
20 and bringing us valuable information -- that one
21 commissioner happens to catch this little error,
22 because nobody in the Federal Government is offering to

1 coordinate any of these messages? I mean, what is
2 wrong here with this picture, that we don't have some
3 kind of system for trying to coordinate the message,
4 for making sure, like an ad campaign, that it hits the
5 rights notes, it hits 'em again and again, and it sinks
6 through? If everybody's going their own direction --
7 and some people think it's better to have an
8 uncoordinated message, some people in government think
9 it's better; I don't. I don't think that people who
10 understand public relations and advertising think so,
11 either.

12 So, I think, you know, and I've said this in
13 front of Congress, we need to develop a coherent
14 message among Federal, State, and local, and tribal
15 government entities, so that the government's aligned.
16 And we need to help coordinate the efforts of the
17 broadcast, cable, satellite, and consumer electronics
18 industries. They're the ones who are going to put the
19 vast amount of resources into this -- and we appreciate
20 that very much, all the commitments that they've made -
21 - but we want to help them, and work with them, to
22 avoid a real nightmare of a tsunami of public

1 complaints that we haven't prepared people for.

2 So, I don't want to point fingers about who
3 should be in charge. I mean, I -- you know, FCC should
4 be in charge, according to GAO. I think that would be
5 a good idea. If somebody else wants to take the lead,
6 that's fine. Just, let's have somebody in charge,
7 let's have an interagency task force, a Federal task
8 force -- should have been established a long time ago.
9 I've been talking about this for years. And now it's
10 -- now everybody's calling for it. It's in front of the
11 Commerce Committee in the Senate. And the bipartisan
12 leadership of the Senate, the chairman and the vice
13 chairman, both said, "Yes. Why don't we do this? Of
14 course we should do this. And we're going to draft
15 legislation to do it." But why should we have to wait
16 for legislation, when the private sector has already
17 done it, when it's obvious we need it, when we don't
18 have coordination? I think that working group can
19 reach out to everybody. It can reach out to State,
20 local, and tribal governments and organizations, work
21 with the Federal Government agencies. Even our own
22 message often isn't coordinated. One agency will talk

1 in -- about what the digital converter box is, and use
2 a different word in Spanish than another one. So, we
3 need to have the same language on all of our materials.
4 We should have one 800 number. Why do we have two?
5 And why is one of them not even dedicated? I mean,
6 let's get one 800 number that people know this issue,
7 so everybody has that number, we get that number out
8 there instead of having different ones, as we do now.
9 It doesn't make any sense.

10 We have a dtv.gov Web site that's very good.
11 It's been successful. We're getting a lot of hits on
12 it. But, who are we trying to reach? People with low
13 Internet subscribership, such as low-income, elderly,
14 minorities, non-English-speaking, in tribal
15 communities. The ones that are hardest to reach are
16 the ones that are least reachable by dtv.gov. I think
17 local officials and organizations may offer some of the
18 best help in getting to local markets. And are we
19 working with them? Do we have enough coordination with
20 them? I don't think so. And, again, this interagency
21 Federal task force, involving State and local
22 government officials, could help with that. So, I

1 think we need to start doing more. We're starting to
2 adopt some ideas here. I think it's getting better,
3 but we have a long way to go. When you look at what
4 they're doing in -- overseas, what they did in Berlin,
5 what they're doing now in England, we have major
6 catchup to do, and it's not going to work, just
7 muddling through. We try to muddle through, and we're
8 the ones who are going to be sorry, in the end, when
9 there's mud all over us.

10 So, I hope that we'll do more coordination.
11 I know we're preaching to the choir here. I just want
12 to let you know that we understand what you're up
13 against. We appreciate your willingness to contribute
14 and help us call the alarm on this. We're not where we
15 need to be. We've made some progress. And hopefully
16 there's a lot more to come. But I think that progress
17 has to happen soon, has to happen quick, and it won't
18 happen without your guidance, without your leadership,
19 without your willingness to come here and contribute to
20 this process and try to help us out.

21 So, from the bottom of my heart, I appreciate
22 everything you're doing, everything you've done, and

1 everything that you're going to do to help us get this
2 right so we have a true National Consumer Education
3 Campaign, and a way to implement it.

4 And one final note, I just wanted to say that
5 when it comes to the digital television transition,
6 public-interest obligations are part of the transition.
7 We want to give people something to look forward to.
8 We talked about -- the chairman talked about a positive
9 message. Here's a positive message. Here is what is
10 going to be carried. Here, you know it's not just
11 going to be on these additional channels you're going
12 to get Infomercials or Home Shopping, you're going to
13 get something that matters to your children, you're
14 going to get something that matters to your local
15 community. There's going to be some local content on
16 these additional channels, where you can learn
17 something about what's happening in your community.
18 Right now, who knows what's going to be on those
19 channels? So, where is the upside? The government
20 needs to do public-interest obligations as an integral
21 part of the DTV transition.

22 Jim Goodman testified here today, just the

1 other day, on Halloween, a great broadcaster who really
2 serves the public interest in North Carolina, and he
3 said, "Don't change the media ownership rules until
4 after the DTV transition. My one channel just became
5 five. My radio station just became three. You need to
6 see where the dust settles before you do changes in
7 media ownership rules, because the DTV transition --
8 it's important to have that done first." I thought
9 that was interesting -- very interesting testimony.

10 So, just a few thoughts. Again, thanks, to
11 all of you, and thanks for giving me time to say hello.

12 [Applause.]

13 CHAIR BERLYN: Thank you, Commissioner. We
14 greatly appreciate your remarks this morning, your
15 ideas, and your support for the work we're going to do
16 today. It's a good introduction to the work we're
17 going to be doing all day today.

18 Okay, now let's do an official welcome. I
19 want to just take a few minutes to go around the room,
20 introduce ourselves to each other.

21 And, as you know, I'm Debra Berlyn. I'm
22 serving as chair of the CAC.

1 Shirley?

2 MS. ROOKER: Good morning. I'm Shirley
3 Rooker. I'm the president of Call for Action, and
4 director of WTOP Radio's Call for Action Program.

5 MR. ELLIS: Rich Ellis, from Verizon.

6 MS. KEARNEY: Julie Kearney, Consumer
7 Electronics Association.

8 MR. WILEY: Doug Wiley, NAB.

9 MR. KELSEY: Joel Kelsey, with Consumers
10 Union.

11 MR. BENTON: Charles Benton, of the Benton
12 Foundation.

13 MR. ISETT: I'm Dan Isett, with Parents
14 Television Council.

15 MS. TSCHIRCH: Dodie Tschirch, Cablevision
16 Systems Corp.

17 MR. SCHLAVER: Paul Schlaver, representing
18 CFA, Consumer Federation of America.

19 MR. CLINTON: Jim Clinton, Southern Growth
20 Policies Board.

21 MR. CRAIG: Lew Craig, Alaska Department of
22 Law.

1 MR. GILLEN: Brad Gillen, EchoStar, Dish
2 Network.

3 MS. PLUTA: Teri Pluta, Communications
4 Workers of America.

5 MS. HEPPNER: Cheryl Heppner, Northern
6 Virginia Resource Center for Deaf and Hard of Hearing
7 Persons.

8 MS. REED: Jo Reed, with AARP.

9 MS. STRAUSS: Karen Peltz Strauss, with
10 Communications Service for the Deaf.

11 MS. CRAWFORD: Rosalyn Crawford, from the
12 National Association of the Deaf, here for the Deaf and
13 Hard of Hearing Consumer Advocacy Network.

14 MR. McELDOWNEY: Ken McEldowney, Consumer
15 Action.

16 MR. COLE: John Cole, Hawaii Public Utilities
17 Commission.

18 MR. MARSHALL: And I'm Scott Marshall, with
19 the FCC.

20 CHAIR BERLYN: Thank you all.

21 I'm going to turn things over, in a moment,
22 to -- oh, I'm sorry, Gloria.

1 MS. TRISTANI: Gloria Tristani, with the
2 Alliance for Community Media.

3 CHAIR BERLYN: Anyone else who joined us?

4 MS. REED: Janice Schacter stepped away, but
5 she is with the Hearing Loss Association of America.

6 CHAIR BERLYN: Thank you, Jo.

7 I'm going to turn things over, in one moment
8 to Scott, to give you the logistics. As you've already
9 noticed, the microphones are not always on. So, you
10 sometimes need to get the attention of the booth in the
11 back, there, by raising your hand when you want to say
12 something, so that they'll turn your mike on.

13 And now, Scott, if you want to give us your
14 sage advice.

15 MR. MARSHALL: Good morning, everyone.
16 Thanks for attending. Very briefly, a couple of
17 points:

18 Those of you who are participating in our
19 Travel Assistance Program, please check with me at the
20 adjournment of today's proceedings. We need to get
21 some information from you. And if you do have to
22 leave, we'll make other arrangements, obviously, but if

1 you could check with me before you get out of Dodge, so
2 to speak, we'd appreciate that.

3 Secondly, we will be having breakout sessions
4 over lunch. I will remind you later about the room
5 assignments for that. We have staggered the sessions,
6 you'll notice on your agenda, so that those of you that
7 are in more than one working group may have an
8 opportunity to visit more than one. And right before
9 we adjourn for lunch, I'll give you the room
10 assignments, and we'll have folks be able to show you
11 to those rooms.

12 The -- as you know, the restrooms are right
13 out, to my right, down the hall and to the left, which
14 probably is the most important piece of information I
15 can give you.

16 We do have a number of people calling in on
17 the phone line today, and we also want to hear from
18 them by way of introduction.

19 CHAIR BERLYN: Is there anyone on the phone?

20 [No response.]

21 CHAIR BERLYN: Not from what I can tell.

22 MR. MARSHALL: Not yet.

1 CHAIR BERLYN: Not yet.

2 MR. MARSHALL: Well, somebody's calling me on
3 my cell phone, so that might tell me something, I don't
4 --

5 [Laughter.]

6 CHAIR BERLYN: And I also want to offer a
7 special thanks to the Consumer Electronics Association
8 for sponsoring our wonderful breakfast --

9 MR. MARSHALL: Yes.

10 CHAIR BERLYN: -- and our lunch today. So,
11 thank you, Julie, on behalf of CEA, for doing that
12 today.

13 MR. MARSHALL: Okay, let me check it out.

14 CHAIR BERLYN: So -- well, we are a couple of
15 minutes behind in our schedule, but I -- I'm not
16 concerned. We have a pretty full morning, as you can
17 see. And we have, for our next speaker, Cathy Seidel,
18 who is the bureau chief, at the FCC, for consumer and
19 governmental affairs, who's going to talk to us for a
20 few minutes.

21 Welcome, Cathy. Thank you.

22 MS. SEIDEL: Thank you, everyone. I'll make

1 it quick, but I did want to give you a quick overview
2 of some of the things that we have been doing since the
3 last CAC meeting, in terms of our DTV efforts.

4 Some of you may have heard about some of this
5 before, in terms of the chairman's testimony or
6 releases that we've issued, but I think it's important
7 to kind of keep a context of what has been done and
8 what we are doing, and how that shapes the work that
9 you all are doing, and thinking about doing, and
10 considering.

11 First of all, I'd like to talk a little bit
12 -- we all know that we're, you know, just barely --
13 about 15 and a half months away from the transition, or
14 473 days. And, although we're all, I think, running
15 full speed ahead, there's still a lot of work to be
16 done.

17 A couple of the policy-oriented areas that
18 the Commission has been working on:

19 I think, just before the last CAC meeting,
20 the Commission adopted the Notice of Proposed
21 Rulemaking on DTV educational initiatives, as I'm sure
22 you all are aware of, and that you all commented on.

1 As you know, the NPRM sought comment on whether to
2 require the industry to use bill inserts, public
3 service announcements, and other techniques to help
4 educate consumers about the transition. And Chairman
5 Martin has recently circulated a draft report and order
6 that would take action following that notice. And
7 we're expecting, and hoping, to be able to quickly
8 issue an order in that regard, so that consumers are
9 able to get the right information from a variety of
10 sources.

11 A -- in another area, a Report and Order and
12 Further Notice of Proposed Rulemaking was unanimously
13 adopted by the Commission on September the 11th. Among
14 other things, the report and order requires cable
15 operators to comply with the statutory requirement that
16 mandatory-carriage broadcast stations are viewable by
17 all of their subscribers. This will help ensure that
18 cable subscribers do not lose access to broadcast
19 stations as a result of the digital television
20 transition. And on August 1st the Commission adopted a
21 Report and Order and Further Notice of Proposed
22 Rulemaking that, among other things, establishes the

1 final DTV Table of Allotments, providing more than 99
2 percent of all full-power television stations across
3 the country with their final channel assignments for
4 broadcasting in digital. By resolving the remaining
5 questions regarding broadcasters' allotments, the
6 Commission helped to ensure that the analog spectrum
7 the broadcasters are vacating will be available, as
8 planned, by 2009 for public safety and expanded
9 wireless competition and innovation. Notably, 95
10 percent of all full-power television stations are
11 broadcasting in digital today.

12 Now, moving on to provide a few of the
13 enforcement highlights, as you probably know, since
14 March 1st, all television receivers shipped in
15 interstate commerce or imported into the United States
16 must have an integrated digital tuner. The Commission
17 has actively pursued entities violating the DTV tuner
18 requirement. In May, the Commission issued notices of
19 apparent liability against two companies, and one of
20 these companies has already paid the fine, and the
21 Commission is considering the other. In addition,
22 staff is in the process of investigating potential

1 violations against other companies.

2 In April, the Commission adopted the labeling
3 requirement for selling analog-only televisions. The
4 requirements, as you know, were designed to protect
5 consumers from the unknowing purchase of television
6 equipment that will not be able to broadcast signals
7 after February 2009 without a digital-to-analog
8 converter box.

9 Through October, the Commission staff has
10 inspected over 1,325 retail stores around the country,
11 as well as retailers' Web sites, to monitor compliance
12 with that rule. As a result of these inspections,
13 staff has issued 283 citations notifying retailers of
14 violations. As an outgrowth of these investigations,
15 notices of apparent liability against 20 retailers for
16 apparently violating the Commission's labeling
17 requirements have been issued or circulated. These
18 finds, in aggregate, total over \$4 million. DTV
19 enforcement remains a priority for the Commission, and
20 will continue to be a priority throughout the
21 transition.

22 Now, moving on to the area that I have been

1 working on, DTV outreach, we have been working on a
2 number of initiatives. While we seek to educate all
3 Americans about the DTV transition, we are specifically
4 targeting hard-to-reach groups, such as senior
5 citizens, minorities, and non-English speakers, people
6 with disabilities, low-income individuals, and people
7 living in rural and tribal areas. We've done a number
8 of updates to consumer publications, and issued new
9 consumer publications. We've recently issued consumer
10 advisories on how to access closed captioning through
11 digital-to-analog converter boxes and on the DTV
12 transition's effect on low-power, Class A, and TV
13 translator stations. These advisories are also
14 available in Spanish and large-print versions, and some
15 our DTV materials have also been translated into
16 Braille and are available in audio formats.

17 Another way that we have endeavored to reach
18 out to consumers is through fostering collaborative
19 partnerships, including forming partnerships with
20 government and other organizations. In addition to
21 partnering with NTAI -- and Tony will speak, shortly --
22 we are working with the United States Administration on

1 Aging, which has a network of over 650 State and area
2 agencies on aging; various tribal organizations; and
3 thousands of providers around the country who work
4 directly with seniors and their caregivers on a daily
5 basis. Similarly, we have been working with the Bureau
6 of Indian Affairs, which has agreed to disseminate DTV
7 information to their members throughout their 50
8 offices nationwide. We have also contacted nearly --
9 or in excess of 125 local chambers of commerce,
10 covering all 50 States and the District of Columbia, as
11 well as State- and local-level consumer affairs and
12 elderly affairs departments and educational
13 institutions. We've sent letters reaching out to
14 different organizations to literally thousands of
15 entities -- and I think it's probably over 4,000
16 different entities -- and have then been reaching out
17 to as many of those as possible about continuing work
18 with them to help reach more consumers.

19 Commission staff has also been attending
20 conferences to distribute DTV educational materials and
21 to provide talks and presentations about the DTV
22 transition. For example, we have attended and/or

1 participated in over 30 conferences recently, including
2 those hosted by AARP, the National Council of La Raza,
3 the Telecommunications for the Deaf and Hard of
4 Hearing, Incorporated, the National Association of
5 Black-owned Broadcasters, and the Congressional
6 Hispanic Caucus Institute. We plan to attend and
7 participate in at least 30 more events and conferences
8 throughout the remainder of the year to speak about and
9 disseminate material on the digital transition.

10 We are also, at the request of Chairman
11 Martin, utilizing the agents in the Commission's field
12 offices around the country to reach out to the targeted
13 communities. Staff in these 24 field offices are
14 distributing materials to and hosting DTV awareness
15 sessions at senior centers, libraries, and other venues
16 around the country. In addition, staff in my bureau
17 has also been doing and conducting DTV awareness
18 sessions around the country, and have just recently --
19 just this week, we did an awareness session in
20 Michigan. I will be doing an awareness session, week
21 after next, in Colorado. Thomas Wyatt, one of my
22 deputies is, right now, doing a session in Tennessee.

1 We have a session planned in California in a couple of
2 weeks. As I think I mentioned the last time we met, we
3 did a session in Harlem, we have one planned for
4 Trenton, I think, next week. We did one recently in
5 Philadelphia. We're endeavoring to do as many of these
6 as we can so that we're relying, one, on companies and
7 organizations to help us reach consumers, but also
8 doing as much direct outreach as we can. And I think
9 we recognize -- hopefully, this demonstrates that we do
10 recognize that not all consumers use the Internet, or
11 are comfortable using the Internet, which is why we,
12 too, are trying to reach these people directly and
13 through the organizations that work with them on a
14 daily basis.

15 We've also been working with the media, the
16 news media, to highlight the upcoming transition,
17 particularly as it relates to the targeted communities
18 we talked about before. The chairman recently was
19 interviewed on AARP radio, he gave an interview to AARP
20 magazine, and he gave an interview to Erickson Tribune,
21 a publication that reaches nearly 6 million seniors.
22 We also ran an article recently in the Silver Spring

1 Beacon, and had an article run this past month with the
2 Senior Digest, which is a Baltimore publication that
3 reaches literally more than, I think, 20,000 consumers.

4 In addition, we have -- the chairman recently
5 hired a staffer that will be in CGB, that just started
6 this week, who will be assisting us with the
7 Commission's digital television outreach to the
8 Hispanic community. As you probably also know -- and I
9 want to be sure you all know you're always welcome --
10 we will be hosting a series -- the chairman has
11 announced a series of additional DTV awareness
12 workshops that we will be conducting, and we will be
13 conducting one on November the 8th that will focus on
14 senior issues and reaching seniors and the digital
15 television transition, and then we are planning one for
16 December 4th that will focus on reaching non-English
17 speakers and minority consumers. So, please know that
18 the door is always open there. We welcome your input
19 and your attendance at those, as well.

20 I also want to thank the committee for the
21 input that you provided to the education NPRM. As you
22 know, that's very important to the Commission, and the

1 comments that you've provided will provide valuable
2 input to that decisionmaking process.

3 I also wanted to take just a moment to thank
4 folks around the table that have helped, in terms of
5 our outreach efforts recently. I know that a number of
6 you have either participated in, or people from your
7 organizations have participated in, the workshop that
8 we had, or will be at workshops that we will be having.
9 I know that CEA, NAB, and others have helped us, in
10 terms of having equipment available and converter boxes
11 available for demonstrations at various meetings,
12 events, and conferences, and I think that's truly
13 invaluable, and we've heard directly back from the
14 organizations, the consumer organizations, that there
15 is nothing like, really, showing consumers what it is
16 you're talking about, and allowing them the opportunity
17 to actually see and touch and become familiar with what
18 it really entails. So, I want to thank folks there. I
19 know I probably neglected mentioning a few names there,
20 but thanks to all of you.

21 I also wanted to thank some of the people
22 around the table here that are representing people with

1 disabilities who were very valuable in providing input
2 to the last closed captioning advisory that we issued,
3 and we thank you for your help. As always, it's
4 immensely useful to us.

5 And, Shirley, I wanted to thank you, too, for
6 the invitation, hopefully, to speak in the near future.
7 Look forward to that, and we'll be getting back to you,
8 as well.

9 I just look forward to the input from all of
10 you and thank each of you. I know, as the two
11 commissioners just said, it's a -- it is a bit of a
12 herculean effort, but I'm confident, with the help of
13 all of you and others and the commitment of the
14 chairman, that we will, indeed, manage this transition
15 smoothly.

16 So, with that -- I know I probably took a few
17 minutes too long, Debbie -- thank you all for your
18 patience, and I'll turn it back to Debbie.

19 CHAIR BERLYN: Yeah, that's quite all right,
20 Cathy. And I wondered, if anyone has any questions
21 around the table, if we might do that.

22 MS. SEIDEL: Sure.

1 CHAIR BERLYN: Ken?

2 MR. McELDOWNEY: I certainly, sort of,
3 applaud the volunteer efforts that are going on. But I
4 guess I'm really appalled at how limited what the FCC
5 and others are doing. I'm glad you're talking to the
6 different national associations. I think that's only
7 scratching the surface. The type of organizations that
8 are based in the community that can actually reach the
9 hard-to-reach, to reach the 20 million, cannot do it on
10 a volunteer basis. There needs to be funding. I have
11 not yet heard that the Commission or any governmental
12 agency is willing to spend any money whatsoever, in
13 terms of direct grants to consumer groups and community
14 groups, in terms of being able to do the educational
15 work that needs to be done.

16 And, until that happens, until there's a very
17 large effort, it's going to be doomed to failure, and
18 there are going to be millions of people who are going
19 to be cut off from television sets and access to
20 emergency information.

21 MS. SEIDEL: Well, I think -- you know, I
22 hear what you're saying on the funding issue. I really

1 -- there's not a whole lot I can say to that. The
2 Commission didn't receive funding, as you know, hasn't
3 yet received funding. But I can tell you, and I have
4 talked to a lot of different local groups -- I'm
5 talking to a local AARP chapter next week, we talked to
6 a local organization in Lansing -- was it? --
7 yesterday, and these groups are actually -- I hear what
8 you're saying, that they don't have money, but the fact
9 that we can print the materials, we can ship the
10 materials, we can attend the events -- if they get the
11 consumers and the community around the table, we can
12 have one of our agents go talk to them, answer
13 questions, or we can do so. I'm not saying it's the
14 answer to everything, but I actually think we've
15 received pretty good -- pretty good assistance and
16 pretty good support from the local groups that we've
17 been talking about. That's not to say that we don't
18 have a whole lot more to do, and that, you know, as you
19 would say, maybe it's scratching the surface. But I'm
20 actually finding much more commitment and much more
21 support than one might think.

22 MS. REED: Jo Reed, from AARP.

1 I have to say that I think that what you
2 described, in terms of the FCC's activity, is actually
3 pretty impressive. I think tremendous effort is going
4 on. But I share Ken's concern that it will not be
5 adequate, that, when we heard the contrast, from
6 Commissioner Copps, between what is available in the
7 United States to address this very complex and
8 challenging task, compared to what has been done in
9 England, you know, the -- just the pure resources,
10 alone, the actual pervasiveness of the outreach to
11 households, there is just no comparison. I don't think
12 it's a function of the FCC not trying, because I see
13 the efforts that you're making all the time, including
14 with AARP --

15 MS. SEIDEL: And I think the media, too, is
16 going to be helpful. And I -- as, I think, the
17 transition moves forward, that's going to -- I mean, we
18 are already seeing quite a bit, in terms of media
19 interest and media calls about having articles run or
20 providing quotes to articles that they're writing. And
21 I think, you know, that's another component, in
22 addition to -- I hear the point about direct outreach.

1 And, as you may or may not know, I -- you know, the
2 chairman, when he talked to -- or issued the letter to
3 Congressman Dingell, one of the elements that he
4 indicated, that if we did receive funding, that we
5 would, indeed, undertake, was some direct mail. And
6 so, it's not as though these -- that the -- that some
7 of the concerns or issues or suggestions that people
8 around the table may have aren't being considered, but,
9 you know, just as people mentioned, it is somewhat
10 difficult to do that without funding. And so, I think
11 we're all in a somewhat similar boat. But I can tell
12 you that a lot of work behind the scenes is going on
13 that, to the extent we were to receive funding, we will
14 be able to undertake a number of things that perhaps
15 are just in its infancy now and be able to move much
16 more quickly ahead and do different and additional
17 things, as well.

18 MS. REED: So, just to complete my question,
19 though, that --

20 MS. SEIDEL: Uh-huh.

21 MS. REED: -- so, is the FCC, then,
22 requesting significant funds to be able to do this?

1 MS. SEIDEL: You know, that's -- I have to
2 tell you, I'd have to defer that. I think that there
3 -- if you look at the trade press, if you look at the
4 chairman's testimony, I think that's probably a better
5 answer than I could give. But, again, I really can't
6 minimize, though, the support that we are getting as we
7 go around the country, the number of calls that we are
8 receiving for information, for newsletters, for
9 newspapers, for TV shows. And, you know, we are
10 talking to a number of organizations. We -- I talked
11 to NATOA yesterday, I'm meeting with the U.S. Postal
12 Service this afternoon. We are talking. And we aren't
13 just meeting. I mean, the chairman has emphasized very
14 strongly that what matters here is outcome, and what
15 matters is reaching the consumers. So, every one of
16 the meetings we engage in, it is endeavoring to
17 actually secure a commitment from the people we're
18 talking to, to help us reach the consumers. It's not
19 just engaging in dialogue, you know. And so -- and,
20 thus far, there's actually -- we've actually secured a
21 fair amount of commitment that may not be apparent,
22 because not everything shows up in the trade press.

1 So, anyway, I do need to run to another
2 meeting. I thank you all and, again, support the work
3 that you all are doing, and thank you for supporting
4 us.

5 [Applause.]

6 CHAIR BERLYN: Thank you, Cathy.

7 We now have our conferencing-call
8 capabilities online, and so, I want to take a moment
9 for the folks on the phone to introduce yourselves.

10 MR. GOLDBERG: Hi, this is Larry Goldberg,
11 from WGBH, in Boston.

12 CHAIR BERLYN: Anyone else online -- on the
13 phone?

14 MS. SANTINI: Yes, hi. This is Nixyvette
15 Santini, for the National Association of Regulatory
16 Utility Commissioners.

17 CHAIR BERLYN: And is there anyone else?

18 Jay, are you on the phone?

19 [No response.]

20 CHAIR BERLYN: Okay. Okay, yeah, I think
21 Larry's -- thank you -- thank you both for being on the
22 phone and joining us. If -- we'll try and remember, at

1 each Q&A opportunity, to recognize you, as well, so
2 that you can ask questions, if need be.

3 Okay, we are going to move very quickly to
4 introduce our next speaker, Tony Wilhelm, who is with
5 NTIA and is working on the digital television
6 transition for the agency.

7 Thank you, Tony, for coming and talking to us
8 today.

9 MR. WILHELM: Thank you, Debbie.

10 Good morning, everyone. Thank so much,
11 Debbie, for the invitation to come back and update you
12 on our progress at NTIA. I think we're making great
13 strides with the coupon program, so it's a real
14 opportunity here to update you. I know I was here in
15 August, and it was right before, I believe, we had
16 actually awarded the contract to IBM, and really got
17 this program rolling. And so, it's actually very
18 exciting to be back, and I'll try to be brief. But we
19 have -- I think we accomplished a lot in the last
20 several months that I'll try to encapsulate for you
21 here in the next few minutes.

22 We did award a contract to IBM, and -- very

1 competitive process. We had many excellent ideas and
2 bids from a number of very prominent companies, global
3 companies. And we're very happy that IBM came in with
4 the best value to the government. I think two things
5 really stood out with IBM. One, they put the customer
6 first, which is our motto, moving forward with this
7 program; it's about the customer and putting the
8 customer first and making this coupon program as simple
9 as possible to the consumer. And I'll talk a little
10 bit more about that in a minute. And then, secondly,
11 IBM is incredibly retailer-friendly. This is a company
12 that has worked with the retail community, understands
13 their needs, works with many of the largest retailers
14 -- consumer electronics retailers. And, in fact, at
15 our public meeting in September, when Radio Shack
16 announced that they were intending to participate in
17 the program, they were bullish on this program because
18 of IBM and its ability to meet their needs. And so,
19 we're very happy to have IBM as our partner. They're
20 going to put the customer in the front -- in the
21 driver's seat, as -- alongside the retailer. So, we're
22 very happy about that.

1 We are also equally fortunate to have Ketchum
2 as our consumer-ed partner in this. Ketchum is a
3 subcontractor to IBM, and is responsible for the
4 consumer education activities. Ketchum, as you are
5 well aware, understand our target populations. As
6 Cathy mentioned earlier, we're really focusing on over
7 the air consumers, folks that are potentially at risk
8 of losing their television after February of 2009.
9 We're putting these folks in the front position, in
10 terms of focusing our resources on these folks. Over-
11 the-air consumers tend to be disproportionately in
12 rural communities, elderly, people of color, people
13 with disabilities. And so, these are definitely
14 communities that we're focusing our resources on. And
15 Ketchum has great experience working with them, because
16 they have just come off of the -- their work with the
17 Medicare Part D Program, so they understand the needs
18 of elderly, low-income individuals, et cetera. So,
19 we're very fortunate to have them, and have that
20 experience, that deep experience, working with Federal
21 programs, working with our target populations, and just
22 having proven methodologies of reaching these

1 communities. We're not talking about an organization
2 that is developing this program in real time. They
3 have proven methodologies that we're applying to this
4 program. And so, we're in very good shape with
5 Ketchum.

6 Ketchum has just completed 18 focus groups
7 with about 150 individuals across the country. These,
8 again, are demographically stratified focus groups with
9 our -- with the target populations that I just
10 mentioned, that Cathy mentioned earlier. And what we
11 did was, we tested the coupon application, we tested
12 the messages that we want to convey to individuals, to
13 consumers, and we tested a brand, or an identity, to
14 the campaign. And so, we got excellent feedback from
15 these folks, and I want to be the first to tell you
16 that I haven't quite applied to the Guinness Book of
17 World Records yet, but I think this is going to be the
18 shortest process for getting a government benefit than
19 any other program I'm aware of. It took between 5 and
20 10 minutes to actually fill out the application -- to
21 read, understand, and fill out the application to
22 consumers. So, if anyone knows a program that's that

1 simple to navigate, I'd be interested in hearing, but
2 this is not like filling out your taxes or applying for
3 a driver's license. This is 5 to 10 minutes to get a -
4 - up to \$80 in government benefits. So, we're very
5 pleased that this application is very simple and easy
6 for consumers to understand. Our messages were easily
7 grasped by consumers, and we got a lot of good
8 feedback, from them, in terms of what they really want
9 to know and understand about the program. And we'll
10 make sure that those needs from consumers get into our
11 materials that we're developing.

12 As you can see from this slide, all of the --
13 all of this feedback we're getting from consumers will
14 basically inform all the materials we've developed to
15 date, in terms of our -- the coupon application, the
16 Web site we're developing, the live-agent scripts, so,
17 on January 1st, when someone calls in and talks to a
18 live individual, those individuals will know, you know,
19 what, generally, people need to know about this
20 program. And so, they'll be well informed and ready to
21 be very consumer friendly.

22 We're going to develop posters, FAQs, fact

1 sheets, et cetera, as you can see, and those are all
2 basically messages that we've tested through this
3 rigorous focus-group process. So, this has been a very
4 good process for us. We're getting a lot of good
5 information.

6 And we're coordinating this with the private
7 sector and with the FCC. I think it's important to
8 know that we're not operating in a vacuum. The FCC has
9 -- I mean, the NTIA has standing meetings with the FCC.
10 Cathy and I talk regularly. John talks to the
11 chairman, you know, regularly. They are -- they've
12 been on panels together, they've -- they communicate
13 regularly. We communicate regularly with the DTV
14 Transition Coalition. We are on their steering
15 committees, in terms of messaging. And so, we -- we're
16 leading the charge, in terms of the coupon program and
17 messaging about the coupon program, and are working
18 very closely with the private sector to make sure that
19 our messages are holistic -- are consistent and
20 unified. And so, there's no problem with leadership,
21 with coordination, with the organizations that are at
22 the table, working very closely together. So, this has

1 been a very good process, in terms of communications.
2 And we've been working with the DTV Transition
3 Coalition since its inception, attended all the
4 meetings, participated in the subcommittees, the
5 steering committee meetings, and have all the data that
6 the NAB collected, in terms of its own focus groups and
7 research they conducted earlier in the year, and are
8 making sure that dovetails with our own messaging so
9 that we're all on the same page, moving forward. So,
10 there'll be no confusion, in terms of messaging out
11 there, and we're working very closely together with all
12 of the important agencies and private sector
13 organizations that are leading the charge here.

14 I don't know why this slide doesn't want to
15 move. I'm just keeping you honest, Roger, that's all.
16 Here we go.

17 [Laughter.]

18 MR. WILHELM: Partnership engagements, as
19 Cathy said -- I mean, the FCC's just doing remarkable
20 work, reaching out to a lot of different consumer
21 groups, as are we. We have active relationships with
22 over 145 organizations and 14 government agencies. As

1 I mentioned, the coordination is there with the Federal
2 Government. We're working very closely with these
3 agencies, providing them information so that they can
4 communicate to their constituents about the coupon
5 program and about the DTV transition.

6 These partnerships are national, regional,
7 and local. We have data from Nielsen that shows where
8 over-the-air consumers are, so we know, for example,
9 that, you know, Los Angeles, the big cities, the big
10 DMAs, have a lot of over-the-air people, and we'll
11 focus on those communities. But we also know there are
12 small communities across the country that are
13 disproportionately over-the-air. So, for example,
14 McAllen, Texas, or Joplin, Missouri, have very high
15 over-the-air populations, and we'll also focus on those
16 smaller communities, as well. So, we have the data
17 information to concentrate our partnership activities
18 in these high over-the-air markets.

19 And we'll support our partners with regular
20 communications and tools. As Cathy was alluding to
21 earlier, we're going to make this as simple as
22 possible. We're asking organizations to use their

1 existing communications channels to get the word out
2 about the transition. And, you know, we're not asking
3 to do new activities, but to use what they have to get
4 the message out about the transition. And groups have
5 really stepped up and wanted to be active participants
6 in this process. We -- I don't think we've approached
7 a single group that's said, "We can't do this," for
8 lack of desire or resources or anything else. So,
9 we've had very active and robust participation from
10 groups across the board.

11 And it's very important to understand that
12 this is taking place in the context of about a billion
13 dollars in voluntary commitments from industry. And
14 so, you know, the industry, if you look at the -- what
15 the broadcasters have recently committed, the cable
16 operators, the consumer electronics industry -- we
17 expect great things from our retail partners, in terms
18 of having information in stores. This is a historic
19 effort out here. And so, I certainly, you know, don't
20 want us to minimize what's going on out there. And I
21 was very heartened, at our focus groups, actually, with
22 -- we ran two Hispanic groups, one in Los Angeles and

1 one in Miami, and, because of the great work of
2 Univision, a majority of the folks -- this is
3 anecdotal, but a major of Hispanic consumers have heard
4 about this by what they've seen on Univision, and we
5 were very heartened by that. You know, the private
6 sector has stepped up -- we're very early in this
7 process, as you know, but already these messages are
8 starting to resonate with consumers. And, I tell you
9 what, once people have to started to see it and hear it
10 on television, their anxiety level drops enormously.
11 And, actually, when we start giving them information,
12 we're creating the well-informed consumer, here, by
13 adding up all the efforts that are happening in
14 industry, the partnership activities that are underway,
15 that Cathy mentioned, that we're doing. All of this
16 stuff will accumulate into, I believe, a well-informed
17 consumer that's savvy and is able to make informed
18 decisions well in advance of February of 2009.

19 So, we, again, applaud industry. The
20 Secretary was at a major cable event on Wednesday, and
21 thanked and applauded the cable folks for their
22 commitment. We thank the broadcasters, we thank the

1 consumer electronics industry, we thank our retail
2 partners, because this is how consumers are going to
3 get educated about this transition. And the NTIA and
4 the FCC are active partners in that effort that, again,
5 tallies well in advance of a billion dollars. I'm not
6 sure there's been anything like this, frankly, in terms
7 of a campaign to educate consumers about a specific
8 event that's happening out there in the world. So,
9 it's really quite amazing to see.

10 Just to mention a few of the activities we're
11 involved with, Cathy mentioned, you know, just a slew
12 of activities the FCC is engaged in. We, at the
13 Department of Commerce -- again, I mentioned the
14 Secretary is engaged in this. Our Assistant Secretary
15 participated, very recently, in a forum on the Hill
16 with the Hispanic Caucus leadership group, Members of
17 Congress, along with the -- with Chairman Martin. You
18 know, our Deputy Assistant Secretary was just at a town
19 hall meeting in Houston with a Member of Congress,
20 talking up the DTV transition. So, this is a priority
21 for us, from the Secretary on down. We're all active
22 and engaged. We're all on the road. This is a road

1 show that is just not myself and my staff, but it
2 trickles down from our leadership, a huge priority for
3 us.

4 As you can just see here, this slide, just
5 some of the things we're doing in -- just in the next
6 couple of weeks, we're going to be at the -- actually,
7 I think, yesterday we were at the National Hispanic
8 Council on Aging in Dallas, a very important
9 conference. I'll be, along with Cathy, on a panel,
10 next week in Denver, with the National Congress of
11 American Indians. National Hispanic Caucus of State
12 Legislators, I'll be doing next Friday. We'll be
13 talking to the COAT organization, the Coalition of
14 Organizations for Accessible Technology, on the 26th of
15 November. And so, we are aggressively outreaching to
16 our target populations. These are the folks that --
17 the vulnerable communities that otherwise may lose
18 their TV for lack of -- for want of information. And
19 so, we are committed to ensure they are informed about
20 this transition.

21 As I mentioned, our Ketchum friends are in
22 the process of actively soliciting volunteer

1 commitments from our partners. And they're lining up a
2 lot of great commitments. People want to participate
3 in this program, they want to get the word out. And
4 so, here are, just, some ideas. We're hoping people
5 will send e-mail alerts to their members, that they'll
6 distribute our information. We're developing flyers,
7 as I mentioned, materials that'll be available at the
8 beginning of next year that folks can distribute, along
9 with the application. We hope people will link to the
10 Web site that we'll be launching in January, as well.
11 We're maintaining the 888-DTV-2009 toll-free number as
12 the way that consumers can connect with the coupon
13 program. That number, as of January 1st, will be --
14 will include live agents, 24 hours a day, 7 days a
15 week, to take people's questions and orders for
16 coupons, beginning January 1st. We'll also have a Web
17 site that'll be -- standalone Web site also so folks
18 can apply for the coupon online, as well as get a raft
19 of information about the program. And that'll be
20 MyDTV.gov. And that'll be active, again, at the
21 beginning of the year, when we launch this program.

22 So, it's great to be here, it's -- we're very

1 excited about the program. As you can gather, it's a
2 huge priority for us. We thank all of you for you
3 active engagement on this issue. We think it's going
4 to be tremendously successful. We think consumers like
5 the picture on the left, as opposed to the picture on
6 the right. And people will want to be a participant in
7 this DTV transition.

8 So, if you have any -- if you want to become
9 a partner, if you want to participate in this program
10 -- folks in this room are already active participants -
11 - people watching this over the Web, please call our
12 folks at Ketchum. D'Neisha Simmons Jendayi is actually
13 here. D'Neisha, if you want to introduce yourself.
14 Please talk to D'Neisha. Kim Darwinski is here, as
15 well, from Ketchum. And our wonderful press director,
16 Todd Sedmack, is here, from our office. And please
17 feel free to engage them during the break, because it's
18 a great group, and they're ready to work with you all
19 very robustly.

20 So, thank you, again, for your time. It's
21 great to be here.

22 [Applause.]

1 CHAIR BERLYN: Thank you, Tony.

2 We are running behind with our schedule, but
3 I do want to give the group an opportunity to ask any
4 questions that you might have, briefly, with Tony. And
5 I see Gloria is asking for attention.

6 MS. TRISTANI: Thank you.

7 Hi, Tony. It's --

8 MR. WILHELM: Hi, Gloria.

9 MS. TRISTANI: -- always great to hear from
10 you.

11 MR. WILHELM: Good to see you.

12 MS. TRISTANI: And I have three questions.

13 MR. WILHELM: Okay.

14 MS. TRISTANI: Not in --

15 MR. WILHELM: I'd better get my pen out.

16 Wait, wait, wait. Let me get my pen out.

17 [Laughter.]

18 MS. TRISTANI: -- not necessarily in any
19 order --

20 MR. WILHELM: Okay.

21 MS. TRISTANI: -- of importance, but just as
22 I was writing down.

1 One was, I saw, maybe a month ago, that, I
2 think, one vendor had been certified for the box, and
3 they came in at the price of \$69.99. Has there been
4 any other movement since? Let me just give you the
5 questions.

6 MR. WILHELM: Okay.

7 MS. TRISTANI: The second question was, I
8 have not checked this lately, but, as of 3 weeks ago,
9 NTIA was still using a different word in Spanish for
10 "converter box" than everybody else. Is this something
11 that could be fixed, if this is still the case? And I
12 know FCC and everybody else has changed to "caja
13 convertidora."

14 MR. WILHELM: Okay.

15 MS. TRISTANI: Because I think it would be
16 good to have consistency.

17 And then, the third question goes to -- and I
18 wanted to ask Cathy Seidel this question, as well, so
19 I'm not picking on NTIA -- but goes to, yes, I know
20 that you're all doing all these great and wonderful
21 efforts of outreach, and you talk to each other, but
22 shouldn't you be working together to the point of, if

1 I'm Mrs. Garcia or Mr. Henderson, and I want a number
2 or a Web site to access, I only go to one place, so
3 that I don't get confused? And let me go to that,
4 because I did make an experiment. I called, on the
5 weekend, NTIA, the number, and it -- it gives you a
6 wonderful message about, "The DTV transition is coming.
7 Call us in January." Okay? At least it was available
8 on Sunday, and it was available in English and Spanish;
9 I don't know about other languages. Then I called the
10 FCC on their 1-888 number on Sunday, and they didn't
11 have -- they had an answering service, but they didn't
12 have a message on Sunday, and they also said, "You can
13 access us Monday through Friday between 8:00 and 5:30
14 Eastern Standard Time," which puts the rest of our
15 country in a disadvantage. And I brought this to their
16 attention. But when I called them on Monday, they had
17 a more comprehensive message about DTV, but, when they
18 came to the coupon program, they said, "Call NTIA."

19 So, I don't want to get into details, but it
20 seems to me that there needs to be one place to call.
21 By the way, these are the numbers that are on the ads
22 of the broadcasters and the cable companies -- and that

1 that would avert some confusion. I'm sure you're going
2 to work on that, but, in my viewpoint -- maybe I have
3 this wrong -- it doesn't make sense for there to be
4 several places to call or to have numbers that don't
5 give --

6 MR. WILHELM: Okay.

7 MS. TRISTANI: -- you any information, or
8 say, "Call in January."

9 MR. WILHELM: Well, let me take those one by
10 one, because they're great questions.

11 First of all, we have certified multiple
12 boxes that -- I expect there to be a strong market for
13 these boxes out there. I think there'll be a lot of
14 competition. I think prices will come down as more
15 boxes are ordered, you know, over time. As do any
16 consumer electronics products, you know, prices usually
17 go down over time.

18 We're still using the \$50 to \$70 as the range
19 for this product, and we'll actually have that on the
20 application, that range, because consumers do want to
21 know what they are getting themselves into here.
22 Otherwise, they're not really sure, Is this device

1 going to be \$300, \$200? Actually, when we said it was
2 50 to 70, again, a lot of anxiety disappeared. That's
3 something, when you -- when you put the \$40 out there
4 as a government subsidy, we're talking about a \$10 to
5 \$30 investment, which is very reasonable for that -- to
6 get that picture for \$10 to \$30, as well as your
7 multicast and your channel guide and your closed --
8 your digital captions, your parental controls -- I
9 mean, that's an enormous value for \$10 to \$30.

10 So, we're still using \$50 to \$70, but I'll
11 defer, actually -- I see Julie's very active -- I'll
12 defer to her, actually. But we're using 50 to 70.

13 We will switch to "convertidor caja." And,
14 actually, our wonderful new images and designs that
15 Ketchum's doing for us do have that terminology, so
16 we'd be happy to switch to that. And I think you're
17 right, that's the appropriate one. We asked -- we
18 actually were deferring to Univision, because they're
19 -- I think they're the experts, and they preferred that
20 terminology. So, we'll certainly do that.

21 And then, in terms of the 800 number, we're
22 the -- we're really the toll-free number that people

1 should be focusing on, because we're the only ones that
2 have the ability to tackle consumer volumes that we'll
3 expect over the next 15 to 16 months. So, people
4 should be calling DTV-2009, as they are with the cable
5 ads and the broadcaster ads, all send information to
6 us. And we're working with the FCC to figure out what
7 calls we will deflect to them, because our authority,
8 our mandate is much narrower than theirs, so if people
9 call on issues that are outside of our jurisdiction,
10 we'll naturally make sure the FCC gets those calls.

11 MS. TRISTANI: I don't want to get
12 argumentative, but am I missing something? Can't
13 agencies talk to each other about, even if one's
14 authority is limited and the other one is broader, that
15 you can jointly do this?

16 MR. WILHELM: We're going to -- we're going
17 to be the go-to place for consumers who are going to
18 call about the coupon program. And, again, we're
19 working very closely with the FCC on consumer calls on
20 issues that are the FCC's proper domain. We will make
21 sure the FCC gets and responds to those calls. I think
22 that's a perfectly reasonable approach.

1 CHAIR BERLYN: Tony, we are running a little
2 behind, here. And we do want to move forward with our
3 panel, and our panelists have been very patiently
4 waiting for that to happen.

5 I do want to suggest, however, you know, our
6 next meeting of the CAC probably won't be until the
7 coupon program is well underway. So, we have a working
8 group, a DTV working group, and I would suggest that we
9 work very closely together, because I think there are a
10 number of issues that this CAC has that involve both
11 the NTIA and the FCC, in terms of the consumer
12 information and outreach. So, let me make that
13 suggestion. We'll -- perhaps we'll talk about it today
14 in our working group, but thank you very much --

15 MR. WILHELM: thank you --

16 CHAIR BERLYN: -- for being here.

17 MR. WILHELM: -- Debbie. I really appreciate
18 it.

19 Thank you.

20 [Applause.]

21 CHAIR BERLYN: Okay. Scott has a quick
22 announcement.

1 MR. MARSHALL: Very quickly. For the working
2 groups later today, do we have anyone that will be
3 requiring the assisted listening device, since we need
4 to set up the equipment in the appropriate room?
5 Anyone at all?

6 [No response.]

7 MR. MARSHALL: No? Okay.

8 CHAIR BERLYN: I don't see anyone.

9 MR. MARSHALL: All right. Thanks very much.

10 CHAIR BERLYN: Thank you, Scott.

11 Okay. We are now going to start our panel.
12 Let me suggest that we have a 2- or 3-minute in-the-
13 room-only break. Of course, if you have to step out
14 for a quick moment -- but what I -- my point is, here,
15 that we need to not disappear for 5 or 10 minutes while
16 our panel is getting together. So, please, if you need
17 to go out for a moment, please come right back in the
18 room, get some more coffee, whatever.

19 Thank you.

20 [Recess.]

21 CHAIR BERLYN: If everybody could take their
22 seat, we're going to start with our panel this morning.

1 If I could ask all of our panelists to go the podium
2 together, we could have you all up there instead of
3 down here. Is that all right, Scott?

4 MR. MARSHALL: Well, I thought they were
5 going up individually.

6 CHAIR BERLYN: Oh, never mind.

7 MR. MARSHALL: That's what the plan was.

8 CHAIR BERLYN: The plan is -- scratch that --
9 we are going to have each of our panelists come up one
10 at a time and speak to us.

11 And our first panelist is Marcellus
12 Alexander, who is the executive vice president for
13 television at the National Association of Broadcasters.

14 I think I -- I hope I got your title right
15 there, executive president, television, yes.

16 It's a pleasure to have Marcellus here. He
17 has been very involved in the digital television
18 transition and in building the resources within the
19 National Association of Broadcasters to work on the
20 transition. He's been working very closely with the
21 steering committee and the DTV Transition Coalition.
22 And we're very pleased to have him join us here today.

1 Marcellus?

2 MR. ALEXANDER: Thank you, Madam Chairman,
3 and good morning. I appreciate the opportunity today
4 to update the CAC on the ongoing DTV consumer efforts
5 of broadcasters and of our coalition partners. It is
6 very safe to say, and I'm proud to say, that
7 broadcasters are engaged and very active on this very
8 important issue.

9 And, as I mentioned, we have a coalition -- a
10 very strong coalition of 170-plus organizations, some
11 of whom you'll hear from today, others are around this
12 table, who are all engaged in this effort, as well.

13 I'll begin with a slide that talks about a
14 commitment that broadcasters made on October 15th. We
15 outlined a program that has a value of about \$700
16 million, in terms of educating consumers on the DTV
17 transition. It is a campaign that is based on
18 impressions. And, for those of you who may not be
19 familiar with that term, it's an advertising term, and
20 I would describe it this way. If there are 50 people
21 in this room, and we played a commercial, which I will
22 on the screen, all 50 of you watch that commercial,

1 that's 50 impressions. If we played that same
2 commercial again later today, that's 50 more
3 impressions. If you get into your car on the way from
4 this meeting, and you hear a radio commercial, all 50
5 of you heard it, that's another 50 impressions. So,
6 this particular campaign that we introduced on October
7 15th has 98 billion impressions, in terms of the DTV
8 messaging, to our viewers across the country.

9 It is included -- or included in how we will
10 deliver those impressions are DTV action spots, which,
11 let me mention, that's a term that we've replaced
12 "public service announcements" with. Our belief is
13 that "public service announcements" are very good, they
14 go to organizations that have terrific causes, and
15 they're supported on broadcast and also on cable, but
16 these "action spots" -- "DTV action spots" are
17 basically a business imperative for broadcasters, and
18 we want to create action by the viewers from these
19 spots. So, we've coined the term "DTV action spots" to
20 refer to those messages that will be broadcast on the
21 DTV transition.

22 So, our package of communication includes DTV

1 action spots, crawls, which I'm sure most of you are
2 familiar with, snipes, news tickers, all with messaging
3 that gets to the consumers about the transition.

4 There are 30-minute -- two 30-minute
5 television programs that we're looking to produce, one
6 in English, one in Spanish. Of course, they will be
7 closed captioned. And this will be tutorials,
8 everything a consumer needs to know to make the
9 successful transition. The spot -- the 30-minute
10 programs will be produced in such a way that they can
11 either be run in their entirety as we produce it, or,
12 if a local station wants to insert their own local
13 talent and modify it in some way, they will have the
14 opportunity to use the elements to produce it that way.

15 There's also a 100-day countdown clock that's
16 a part of our plan. This would be a reminder in
17 newscasts across the country -- morning, noon, 5:00,
18 6:00, 11:00, wherever the stations want to plug those
19 in -- that remind people there are now 80 days left
20 before the transition, there are now 70 days left,
21 here's a phone number, here's a Web site -- reminding
22 consumers the transition is coming, and directing them

1 to places that they can get information that they need
2 to, again, successfully navigate the transition.

3 There are a number of public relations
4 efforts all designed at getting the messaging out,
5 through a variety of means, to our consumers wherever
6 they live, work, and play.

7 Grassroots initiatives, there are two key
8 ones that I'll mention, at this point. There's a DTV
9 road show that will heat 600 locations in 200 markets
10 nationwide. I'll talk a little bit more about this
11 Trekker, and actually have a picture, a bit later in
12 the presentation. But imagine the Oscar Meyer
13 Weinermobile. Okay? Only this is a television set
14 with rabbit ears on it that is going to crisscross the
15 country, stopping at State fairs, football games,
16 malls, Wal-Mart parking lots, wherever there are people
17 gathering. And the people in the vans -- or in these
18 trucks -- Trekkers -- will have a demonstration of what
19 the converter box looks like, much like it's set up
20 there, as well as passing out information, flyers, on
21 what they need to do and know to, again, successfully
22 navigate the transition. They'll be crisscrossing.

1 And, again, I'll talk a little bit more about that
2 later.

3 There's also a speaker's bureau that has,
4 currently, 700-plus speakers, and these are going to be
5 people who are knowledgeable, have been trained with
6 the key questions to answer, talking to Kiwanis groups,
7 church groups, community organizations. Again,
8 anyplace that people live, work, and play, we want to
9 reach them.

10 So, those are the key components of the
11 campaign that we announced on October 15th. Again, an
12 estimated value of close to \$700 million, and 98
13 billion -- 98 billion -- impressions.

14 We have targeted -- and these are not a
15 surprise, certainly for the group here, because you're
16 focused in on these groups, as well -- the elderly
17 population, minority populations, people with
18 disabilities, rural communities, and non-English-
19 speaking communities. These are the targeted folks
20 that we're looking to reach with our messaging.

21 Some of the steps that we've taken -- and, as
22 I've said, we're very active and engaged -- this is an

1 ongoing process that we've had underway for quite some
2 time. We've done a significant amount of research that
3 targets the over-the-air viewers, over-the-air
4 households. Those are the folks who receive their
5 signals through the antenna on the top of their house
6 or through rabbit ears. We want to know, and have to
7 know, as much as we can about that group of people,
8 because, again, they are our primary target.

9 We've done a number of focus groups with
10 various demographics in various parts of the country.
11 We've also done some international research. Jonathan
12 Colaggio has visited the U.K., Sweden, Austria, and
13 Belgium, talked to people who have been involved with
14 their transitions, and we've learned quite a bit from
15 their experiences, and we continue to maintain contact
16 with them, so that anything that they did that worked,
17 we want to replicate, if we can; anything that caused
18 them problems, of course, we want to avoid those
19 things.

20 We also launched DTVanswers.com. It's the
21 official Web site of the NAB DTV Transition Campaign.
22 Chermaise Ingram has done a great job of briefing

1 reporters across the country, making sure that they
2 understand the transition, and, when they report on it,
3 they accurately report on it. She's briefed reporters
4 in New York, Chicago, the Silicon Valley, Washington,
5 D.C., and has a host of others that are on deck to be
6 briefed. It's a constant effort. We understand money
7 is not unlimited to get this done, so we're going to
8 need earned media, and Chermaise is at the front of
9 that.

10 We also helped launch the DTV Transition
11 Coalition. And, as I mentioned, this is an effort that
12 includes 170-plus organizations, each of which has
13 committed to educating their membership on the
14 transition. And, when I say that -- it's a very
15 effective way, I believe. When Debra Berlyn and the
16 AARP folks, for instance, are communicating through
17 their publications and through their organizations to
18 the elderly population, that is one very effective way
19 to reach those -- that segment of the targeted
20 population. So, we're utilizing organizations --
21 again, 170-plus, at this point, and growing. And, in
22 fact, at the end, I'm going to ask if there are members

1 around the table who have not yet joined, we would love
2 to have you engage, as well, in this process. If all
3 of us are serious about getting consumers educated, and
4 hopefully you believe it's important enough to engage
5 and involve your own members to make sure that they're
6 educated. So, I'll do a pass-around sheet and
7 hopefully get some of those who may not be committed
8 yet to do that, to do that.

9 We've developed and distributed congressional
10 toolkits. Obviously, Members of Congress, as they go
11 back and talk with their constituents, need to know the
12 information that we're communicating about the
13 transition. They need to be able to go to their town
14 hall meetings and whatever contact they have with their
15 constituents, and be able to explain this transition in
16 English and in Spanish and in very understandable
17 terms. So, we've provided them with that information
18 in the form of a toolkit, giving them everything they
19 need to be able to explain the transition.

20 We've also done Capitol Hill briefings and
21 House -- with House and Senate staffers. And, again,
22 I've got a photo of one of the more recent ones that

1 happened there. Very, very successful.

2 Also under "steps taken," we've launched the
3 DTV Action Television Spots Campaign, which is a fancy
4 way of saying we've distributed to stations across the
5 country, NAB members and non-NAB members, a package of
6 video that includes spots and video, B roll, if the
7 news department in a particular station wants to do a
8 story on the transition, we have a picture of the
9 converter box and the setup, because the converter
10 boxes are not yet in the stores, so they can tell the
11 story using the video that we've provided them.
12 There's a number of interviews with folks who are,
13 again, talking about the transition -- FCC
14 commissioners, Secretary of Commerce is interviewed --
15 allowing the stations to choose what they want, to help
16 tell their story through newscasts.

17 We've also booked about 250-plus speaking
18 engagements in a variety of places, including, very
19 importantly, senior citizens -- senior centers,
20 because, again, that is one of the key targets that we
21 have for this transition.

22 And the road show that I referenced earlier

1 is actually kicking off tomorrow in San Antonio, Texas.
2 And, if my memory serves me correctly, the next slide
3 might be -- no. You'll see the DTV Trekker in just one
4 second.

5 What I want to do is show three spots that
6 have been distributed -- the first two have been
7 distributed to stations across the country. The first
8 is in English, the second is in Spanish. And, while it
9 may not show on this playback, they have all been
10 closed captioning, and the stations got the closed
11 captioned version. The third spot you'll see is a spot
12 that one of the local stations, owned by Raycom,
13 produced, and local stations are also, of course,
14 producing their own spots. So, if my technology works,
15 you'll see three spots now.

16 [Commercial presentations.]

17 MR. ALEXANDER: You want a playback of the
18 first spot?

19 MR. McELDOWNEY: Yeah, I didn't see any dire
20 messaging, in terms of the TV not working. Maybe I
21 just missed it.

22 MR. ALEXANDER: Well, one of the great things

1 about the committee and the effort that we're putting
2 together is that -- and I think all of you will
3 appreciate this -- if a spot were created by a
4 committee the size of the number of people in this
5 room, it would be a very difficult spot to produce.
6 There are people who say, just as you did, that, "We
7 need to make some sense of urgency of this. We need to
8 create a crisis so that people are compelled to act."
9 Others -- the public relations professionals that we
10 have engaged to do this -- believe there is a better
11 way. And one of the things that we've heard from a
12 number of the groups -- and it's, again, part of the
13 reason that we have such a broad coalition -- I've
14 heard from people that say, "We don't want to frighten
15 seniors with this urgent message. We need to be able
16 to communicate what needs to be done, in a serious way,
17 and, as we get closer to February '09, there will be a
18 difference in the tone of the messaging." But this far
19 out, the general belief is, from people who do this for
20 a living, is that you don't start out with "The world
21 is coming to an end."

22 Yes?

1 MS. CRAWFORD: This is Roseanne Crawford, NAD
2 DHHCAN. I noticed -- I noticed -- I saw the online
3 version, and it is captioned, and I -- and I appreciate
4 the fact that they're all going out with captions. I
5 did, however, notice that, when you say "Call this
6 number," that number absolutely must be read out
7 audibly, or people who are blind or visually impaired
8 won't get the number.

9 MR. ALEXANDER: Okay.

10 CHAIR BERLYN: That is an important point.
11 Marcellus?

12 MR. ALEXANDER: Yes?

13 CHAIR BERLYN: I have just one thing. I've
14 seen this a couple of times, and this is -- I know
15 you've got people much more creative than me working on
16 these, but, when you show that TV set at the end, that,
17 you know, may not work or may -- maybe just put an
18 antenna on it? I'm just wondering -- it might be
19 visually better for consumers to see that as, maybe, a
20 little different than the other type of newer TVs that
21 they have, just to --

22 MR. ALEXANDER: I understand.

1 CHAIR BERLYN: -- maybe have that antenna on
2 it.

3 MR. COPPS: Yeah. No, it's a good point.

4 CHAIR BERLYN: Make that association, because
5 that's one of the messages we always use, is, TVs with
6 rabbit-ear --

7 MR. COPPS: Right.

8 CHAIR BERLYN: -- antennas.

9 MR. COPPS: In fact, one of the phrases that
10 we are testing, because obviously if you say, to the
11 average consumer, "Your analog set's not going to
12 work," phsstt, right over the top.

13 CHAIR BERLYN: Right. Right.

14 MR. COPPS: However, if you say, "Your
15 antenna TV," that might resonate better, and we're
16 testing that and checking to see if that's something
17 that will resonate. But, good point and good input.

18 CHAIR BERLYN: Gloria?

19 MS. TRISTANI: I just have a question. Do
20 you know --

21 CHAIR BERLYN: Gloria, raise your hand so
22 they can get you on a mike.

1 MS. TRISTANI: Oh, sorry. Do you know if
2 that number is the NTIA or the FCC number?

3 MR. ALEXANDER: That's the NTIA number.

4 MS. TRISTANI: Okay, because that number will
5 not give the consumer much information right now.

6 MR. ALEXANDER: Well, my understanding from
7 the NTIA is that, as we get closer to the first of the
8 year, they're going to put a robust amount of
9 information there.

10 MS. TRISTANI: Yeah, I'm just --

11 MR. ALEXANDER: And, in fact -- and, in fact,
12 my understanding is, they will have live bodies there
13 to help navigate people through the transition.

14 MS. TRISTANI: No, and I'm pleased that will
15 happen by January 1, but, as of now --

16 MR. ALEXANDER: Understand. Understand.

17 MS. TRISTANI: So, that's the concern I'll
18 keep bringing up.

19 MR. ALEXANDER: Right.

20 CHAIR BERLYN: Paul? Paul, yeah, keep your
21 hand up. And pull the mike over, Paul.

22 MR. SCHLAVER: I wasn't in one of your focus

1 groups, but if -- speaking for myself and not
2 necessarily trying to stereotype to try to -- people
3 that we're trying to reach, the first commercial, I
4 probably would have walked out of the room, because it
5 just looked like a commercial that was trying to sell
6 something. But the third one, I would have paid
7 attention to. And -- because it just seemed like it
8 was just getting our attention. And not just because
9 it was kind of glitzy and silly or whatever, but, I
10 mean, just the way -- the first one is almost too
11 professional. It absolutely -- if you weren't really
12 listening to it, you would have just thought it was
13 just another commercial to sell something.

14 MR. ALEXANDER: Okay. And I understand that,
15 and that's good input. To give you some context, this
16 is just one spot of a whole series of phases and
17 messaging. But I understand your point, and appreciate
18 it.

19 Yes?

20 CHAIR BERLYN: Karen?

21 MS. STRAUSS: I, also, thought the same
22 thing. I actually -- I thought the Santa one was

1 really cute, but -- and I know that his came up at the
2 hearing the other day before Congress, but I'm
3 concerned -- I know that you want sponsored PSAs, but
4 when people see Sears and they see other brands, I
5 think that they may think that this -- that somebody's
6 trying to sell them something and that there's -- there
7 have to be at least some of these PSAs that are just
8 point-of-fact information. This is -- you have to --
9 we really mean it, we're not trying to sell you
10 anything. This is something that's going to happen.

11 MR. ALEXANDER: Right. And in the multitude
12 of spots that are going to be airing in the stations,
13 there will be a combination of spots that are sponsored
14 and that -- those that are not sponsored. Absolutely
15 correct.

16 Okay? And to continue, I mentioned the DTV
17 Trekker. This is actually what it looks like. This
18 was at the Digital Television Transition Expo that NTIA
19 sponsored a while back. The messaging on the side will
20 -- is changeable, and there are two of these, as I
21 said, that are going to be crisscrossing the country,
22 generating excitement, because the way that we've set

1 this up is, the trucks -- Trekkers won't just show up,
2 there will be promotion, the stations will tie in,
3 communities will be alerted. In many cases, we think
4 that if it's going to be in the parking lot at Wal-
5 Mart, Wal-Mart might promote in its spots that it's
6 going to be there. So, these truck -- Trekkers -- will
7 get lots of exposure across the country.

8 Additional outreach, we understand and
9 appreciate the State and local governments' part of
10 this. And we've had DTV toolkits sent to all Members
11 of Congress, Governors, Lieutenant Governors, State
12 legislators, and the caucuses, leaders -- you name it,
13 in terms of government, local and State, we have done
14 it. State aging agency directors, State municipal
15 association execs, and State association -- State
16 county association execs -- all have received
17 communication from us, follow-up from us. They
18 understand the importance of this. We're looking to
19 engage them in the answers and the solution, as well.

20 Next steps, toolkits for all 7200
21 legislators. They'll receive toolkits by December of
22 this year -- end of December this year. All

1 Secretaries of State, mayors of the 500 largest cities,
2 will receive toolkits by the end of the year, as well.
3 And we're planning to send converter boxes to
4 Governors, mayors of the top cities, and other select
5 opinion leaders. We have to get everybody that we can
6 engaged in the solution. One of the things that we
7 said at the coalition early, early meetings is that no
8 one organization can accomplish what needs to be
9 accomplished in this. It will require everybody and
10 anybody, who reaches people who watch television, to be
11 involved. And, again, including the organizations
12 around this table. So, that's what we're looking to
13 do, get everybody engaged with information.

14 Janice?

15 MS. SCHACTER: Please don't take this as
16 argumentative in any way, but, when I heard who you
17 sent the toolkits to, my concern was, Do any of those
18 people have rabbit ears on their TVs? And will it be
19 meaningful to them? And perhaps those toolkits could
20 have been better sent to communities where they were
21 needed. I'm not sure of a nicer way to say that, but,
22 you know, the mayor of a city is not going to have

1 rabbit ears on his TV. I know, in New York, he -- I
2 know exact which TV he uses. So, it -- you know, in
3 his flat-screen TV, he's going to look at this, it's
4 going to get tossed to the side, and will it really get
5 to where it needs to go?

6 MR. ALEXANDER: If I'm the mayor of any city,
7 I may have a plasma TV, but I have to be concerned
8 about my constituents. If I'm not concerned enough
9 about my constituents --

10 MS. SCHACTER: I know he's concerned about
11 his constituents, and I'm not implying he's not -- in
12 my community -- my concern is, Will the toolkit get to
13 the right person within the city? And will it be
14 meaning -- and maybe it could -- that money could have
15 been spent in a better way of getting to the
16 constituency who really will use it.

17 MR. ALEXANDER: Right. And maybe I didn't
18 explain it well enough. Okay.

19 MS. SCHACTER: Yeah.

20 MR. ALEXANDER: So, the mayor is aware,
21 because he or she should be aware of this issue,
22 because it affects their constituents. Through

1 organizations like the NAACP, AARP, and a host of
2 others, they will be getting the messaging -- same
3 messaging to the folks to who have the rabbit-ear
4 antenna TVs. It's a combination. It's not that we're
5 expecting any government official to cover it with all
6 of their folks. We have to use grassroots
7 organizations and government -- and government -- to be
8 aware of, to make this work. And there wasn't a lot of
9 expense to these toolkits, so we didn't take gazillions
10 of dollars to do this. It's very effective,
11 inexpensive communication these days to do these
12 toolkits.

13 MS. SCHACTER: Have you considered, maybe,
14 sending some of those toolkits to, you know, senior
15 centers or community centers in the community who can
16 then serve as not only bringing in the -- how many --
17 you said 700-plus speakers, and show how it's done
18 within the community, and using it that way? I just
19 think it could be more effective, you know, if you sent
20 that to the local community center in a --

21 MR. ALEXANDER: Right.

22 MS. SCHACTER: -- in a poor neighborhood, it

1 could be more effective.

2 MR. ALEXANDER: If we are -- if we're
3 effective in working with AARP and the other aging
4 organizations, they will have the toolkits, they will
5 have whatever they need to communicate to their
6 members. And if it means, in addition to that,
7 somebody from NAB or NCTA going into that community
8 center, we're committed to do that.

9 So, I want to be crystal clear. There is no
10 one single entity that we're expecting to carry the
11 water on this. It's going to take everybody involved
12 at various levels, and the best levels -- to your
13 point, the best levels are the grassroots levels, and
14 we will make sure, through our organization, through
15 our DTV Transition Coalition, that those grassroots
16 organizations have the materials they need to
17 communicate effectively with the people in the
18 communities.

19 CHAIR BERLYN: And, Marcellus, it might be
20 helpful to just clarify that the toolkits are a set --
21 just a set of information --

22 MR. ALEXANDER: Yes.

1 CHAIR BERLYN: -- about the DTV transition.

2 So, it's much the same --

3 MR. ALEXANDER: On a CD-ROM.

4 CHAIR BERLYN: -- information --

5 MR. ALEXANDER: Right.

6 CHAIR BERLYN: -- it's much the same
7 information that you're distributing to many --

8 MR. ALEXANDER: That's correct.

9 CHAIR BERLYN: -- different --

10 MR. ALEXANDER: That's correct.

11 CHAIR BERLYN: -- sources.

12 MR. ALEXANDER: But, to your point, we
13 understand the importance of your point, which is
14 making sure that the actual people who have antenna TVs
15 are getting the messaging. And we're looking to reach
16 them in a host of ways, through grassroots efforts, TV
17 spots, hitting them where they live, work, and play, a
18 number of different ways we're looking to do that.

19 MS. SCHACTER: One thing no one has mentioned
20 -- and this may -- and I apologize if it's a little
21 sexist, but my concern is, What about, like, single
22 parents who may not have somebody in their home to,

1 frankly, sort this all out?

2 MR. ALEXANDER: Well, if I'm a single parent,
3 I might fall into one of the other groups that we're
4 hitting. I might be a senior, I might be a minority
5 population, I might be -- I mean --

6 MS. SCHACTER: But what if you're not, you're
7 just --

8 MR. ALEXANDER: So, you're just single and
9 you're not a part of any other group?

10 MS. SCHACTER: Well, you're a single parent.
11 You know --

12 MR. ALEXANDER: Say again?

13 MS. SCHACTER: -- there are a lot of divorced
14 families in the country, and a single parent who may
15 not really, frankly, know how to maneuver this, who may
16 not be technically, you know, savvy --

17 MR. ALEXANDER: Well, if there is an --

18 MS. SCHACTER: -- and reaching out --

19 MR. ALEXANDER: -- organization -- and I'm
20 going to look over a Myra for a second -- if there is
21 an organization that we can reach single parents -- or
22 single people through -- a dating service -- we will

1 approach them. We will approach them. This --

2 MS. SCHACTER: No, but I'm just saying, you
3 know, single parents who are raising children on their
4 own, and suddenly --

5 MR. ALEXANDER: Sure.

6 MS. SCHACTER: -- you know, the TV -- and
7 they may not be the most technically savvy.

8 MR. ALEXANDER: Right.

9 MS. SCHACTER: -- and suddenly they're
10 confronted with this issue.

11 MR. ALEXANDER: Right. We will reach out to
12 whatever that group is to try to engage them, because
13 that's what this is all about, having those folks in
14 the coalition, so that they can get the message to
15 their members. And if there's any others that you
16 think of that might not be hit in the 170 organizations
17 -- and I don't know if that's been distributed here or
18 not, the 170 organizations that are a part of our --
19 it's in the packet that's in front of you, so you'll
20 get a sense of the organizations that are involved that
21 we look to get the messaging through to our various
22 viewers. Okay? But thank you for that question.

1 CHAIR BERLYN: We do -- we do have a couple
2 more questions, I believe, around the table, Marcellus.
3 Do you want to --

4 MR. ALEXANDER: Whatever you want --

5 CHAIR BERLYN: -- take those now or --

6 MR. ALEXANDER: It's up to you, Madam Chair.

7 CHAIR BERLYN: Charles?

8 MR. BENTON: Of the 1760 full-power TV
9 stations, how many --

10 CHAIR BERLYN: Charles, you need to -- you
11 need to talk into the mike --

12 MR. BENTON: Yeah. Sorry.

13 CHAIR BERLYN: -- so those on the phone and
14 others can hear.

15 MR. BENTON: I'm trying to be personal, as
16 opposed to technologically -- right. Okay.

17 Of the 1770 -- sorry, 1760 full-power TV
18 members -- TV stations, how many are NAB members? My
19 first question.

20 MR. ALEXANDER: About 65 percent of those are
21 NAB members.

22 MR. BENTON: About 65 percent, okay. Is the

1 NAB planning on tracking which stations run DTV
2 education PSAs and during which day parts?

3 MR. ALEXANDER: Yeah. Let me answer the
4 second part of the question that you didn't answer --
5 or didn't ask. So, 65 percent of those stations are
6 NAB members.

7 MR. BENTON: Right.

8 MR. ALEXANDER: 100 percent of them have been
9 on our communication, got the spots, got the video
10 package, and so forth. So, whether you're an NAB
11 member or not, you are getting information that can
12 help you educate your consumers, your viewers.

13 MR. BENTON: Okay.

14 MR. ALEXANDER: Okay? In terms of tracking
15 what is actually done, we are, as we speak, looking at
16 a way to measure effectiveness of the campaign and have
17 some sort of reporting back to the FCC and/or Congress.
18 So, we are looking at how that might be done in an
19 efficient, effective manner, yes. We're looking into
20 that.

21 CHAIR BERLYN: Joel?

22 MR. KELSEY: Yeah. This is a question for

1 the toolkits --

2 CHAIR BERLYN: Yeah, keep your hand up until
3 you hear the --

4 MR. KELSEY: So, the toolkits that you're
5 sending out to folks, do you -- do you have any kind of
6 localized data? If you're sending to a mayor, for
7 example, are you telling them how many over-the-air
8 consumers are in their city that they should be worried
9 about?

10 MR. ALEXANDER: In the mass-produced
11 toolkits, no. But in the individual contacts that's
12 being made, where we have that available information --
13 and we don't have it available for every market --
14 where we have that available information -- and it's
15 typically on a State basis, a statewide basis, "Here is
16 what" -- we do share that information. But it can't be
17 included, obviously, in the mass-produced toolkits that
18 we've done.

19 CHAIR BERLYN: Jo, did you have a question?

20 MS. REED: I have a question which is
21 unrelated to the presentation so far. So, actually,
22 I'm wondering if you have more of a presentation you

1 want to complete first and then --

2 MR. ALEXANDER: Yeah, I have probably two
3 more slides --

4 MS. REED: Okay.

5 MR. ALEXANDER: -- I think is what I have.

6 CHAIR BERLYN: Why don't we let you --

7 MS. REED: I'll wait.

8 CHAIR BERLYN: Why don't I let you do that,
9 then --

10 MR. ALEXANDER: Okay.

11 CHAIR BERLYN: -- and then we'll --

12 MR. ALEXANDER: So --

13 CHAIR BERLYN: -- take a minute.

14 MR. ALEXANDER: -- I've referred several
15 times to the DTV Transition Coalition. This is the
16 group that's made up, again, of about 170-plus
17 organizations, some of whom you'll hear from today, and
18 we're all looking to make sure that there is a
19 successful transition.

20 The goal of the coalition is to ensure that
21 no consumer is left without a broadcast signal due to a
22 lack of information. It's important to say those last

1 works, "due to a lack of information," because there
2 will be people who say, "Well, that set in the back
3 bedroom has rabbit ears on it, but it's 40 years old,
4 and I'm just going to go get another television," or
5 "I'm going to hook it up to cable," or something. But
6 -- or, "I might just decide just to throw it away" --
7 but we want them to have the information so that they
8 can make that decision on their own, and that's what
9 the overall goal of this is.

10 We started out, in February of '07, with
11 eight organizations in the coalition. As I mentioned,
12 as of October, there are now 170-plus. We recently had
13 a DTV Day on the Hill. Myra Dandridge, from the DTV
14 team, did that, and here's a photo of legislative
15 staffers who came to see the exhibit that you see over
16 there. That's John Taylor at the front of the room,
17 from LG Electronics. He, too, is a member of the DTV
18 Transition Coalition. And you'll be able to see the
19 exhibit that they're looking at, over here. Kelly
20 Williams, raise your hand back there, with the Science
21 and Technology Department at NAB, and Vanecia
22 Mosceranous, both can answer any questions about that.

1 And I don't know, Madam Chair, if you want to have that
2 at a break or something, but you can see the difference
3 between the set on the left, which has a converter box
4 on it, and the one on the right, which is just
5 receiving the analog signal over the air, without the
6 converter box.

7 CHAIR BERLYN: And neither one of these have
8 antennas, Marcellus.

9 MR. ALEXANDER: That's correct.

10 VOICE: The antenna is on the roof of the
11 building.

12 CHAIR BERLYN: Oh, okay.

13 MR. ALEXANDER: They're both analog sets,
14 that's correct.

15 CHAIR BERLYN: They're both identical analog
16 sets.

17 MR. ALEXANDER: That's right.

18 MS. TRISTANI: But is the antenna a
19 specialized antenna?

20 VOICE: No, it's a regular television
21 antenna.

22 CHAIR BERLYN: The existing --

1 VOICE: You don't need anything special
2 [inaudible].

3 CHAIR BERLYN: I think what we'll do is, if
4 you can leave this on --

5 MR. ALEXANDER: Sure.

6 CHAIR BERLYN: -- for the next couple of
7 hours as we move into our lunchtime and our working
8 groups, if -- then folks could go up there and --

9 MR. ALEXANDER: Absolutely.

10 CHAIR BERLYN: -- take a look at it more
11 carefully.

12 MR. ALEXANDER: Absolutely.

13 This is just a graph chart on the how the
14 membership in the coalition has grown. And, again,
15 before I leave today, I'm going to ask around the table
16 -- if you are, in fact, concerned about this, you
17 should be willing to say, "I will take this information
18 and put it out to my members." If you're not, we'll
19 understand, but have a different opinion of you. 473
20 days left, and that's where we are at this point.

21 So, again -- and I can start a paper around
22 for anyone who wants to sign on to the transition --

1 DTV Transition Coalition.

2 A couple of very important things: there are
3 no dues; this coalition takes no policy positions; it's
4 all about educating your membership to the DTV
5 transition.

6 CHAIR BERLYN: Thank you very much,
7 Marcellus.

8 MR. ALEXANDER: Thank you.

9 CHAIR BERLYN: Excellent presentation.

10 [Applause.]

11 CHAIR BERLYN: I think we have two more
12 questions directed to you, and then --

13 MR. ALEXANDER: Oh, okay.

14 CHAIR BERLYN: -- we are going not move on to
15 our next speaker.

16 Jo?

17 MS. REED: Thank you. By the way, I was --
18 several people here were involved in the Hill expo on
19 --

20 MR. ALEXANDER: Yes.

21 MS. REED: -- DTV the other day. I thought
22 it was terrific and really well done, and --

1 MR. ALEXANDER: Great.

2 MS. REED: -- compliments to you and to Myra,
3 in particular, for that.

4 This is a question I don't know much about
5 and I'm hoping you can help me understand. We have
6 been, as a -- as a coalition, frequently talking about
7 the benefits that will come from the transition to the
8 20 million households that have to purchase a converter
9 box, that, even though they will be taking some money
10 out of pocket for that, they're going to get that much-
11 improved image, and they're also going to get an
12 increased number of channels, stations to watch, and
13 that that's a net benefit for them.

14 Recently from some quarters we've been
15 hearing something very different, and that is that we
16 can't be assured, number one, that the -- that the
17 image will really be much improved across the board.
18 And, secondly, that, because the over-the-air
19 households represent only 15 percent of the overall
20 number of households that are TV viewers, that they
21 will not, in and of themselves, constitute sufficient
22 incentive for the generation of new programming that

1 would result in all those additional channels; that,
2 unless the cable industry is required to carry
3 additional channels that come from broadcasters, that
4 this is not an outcome we can count on. I don't know
5 the answers to that, and I'd like to hear more about
6 that.

7 MR. ALEXANDER: Sure. And I'll be brief with
8 both responses.

9 First of all, in terms of the quality of the
10 picture, the demonstration here will, I think, address
11 some of those concerns. This is -- these are two
12 analog sets, typical old analog sets. One has a
13 converter box, one does not. You'll be able to clearly
14 see the difference in the picture, for those people who
15 do decide to do that.

16 In terms of cable carriage, we would like to
17 have cable carry those extra channels, as well. That's
18 a discussion and a debate that's ongoing. How it will
19 end up, I don't know, at this point, but that is a
20 discussion that is going on as we speak.

21 MS. REED: But the implication -- the
22 assertion that's being made is that, unless that

1 occurs, unless there is this requirement placed, that
2 this benefit that we've all been touting as coming from
3 the transition and the purchase of a converter box is
4 not assured. That's the thing I really would like to
5 understand.

6 MR. ALEXANDER: I understand. And you're
7 correct in that assessment. We hope, from the NAB,
8 that it does end up that cable does carry those
9 additional channels. My colleague from NCTA is Rob
10 Stoddard; he may have a different opinion, and he'll be
11 able to express that when he comes up. But that is a
12 question and a discussion that is ongoing.

13 MS. REED: Well, the reason I'm pushing the
14 point is, if that's an accurate statement, in your
15 view, or assertion, then what we are telling people
16 about what they can fairly expect out of this
17 transition is perhaps a little misleading. That
18 concerns me, because we have been telling everyone,
19 "Yes, you're going to get these two benefits out of
20 this." And what I'm hearing now is, we should not be
21 saying that so forthrightly.

22 MR. ALEXANDER: Doug, do you want to address

1 that? Doug, from NAB?

2 MR. KELSEY: You say you do still have the
3 ability to get additional channels over the air,
4 additional digital channels over the air, regardless of
5 whether you're able to ultimately even get even more
6 digital channels, up to five per amount of spectrum,
7 for the 700 MHz of spectrum, that you will hopefully
8 ultimately be able to get if the cable systems are to
9 carry all of the digital signals that broadcasters have
10 within the -- within one channel of spectrum.

11 So, over the air on Public TV, for example,
12 you are now able to get additional digital signals that
13 you would not be able to get in an analog environment.

14 MS. KEARNEY: You still have a huge net gain.

15 MS. REED: That's what I'm -- okay.

16 MR. ALEXANDER: Any other questions?

17 CHAIR BERLYN: Gloria, do you have a quick
18 question? Because we are rolling along, here.

19 MS. TRISTANI: Well, yes, I do, actually.
20 And I'm still going back to the beginning. What you
21 raised, we can spend hours discussing, I think.

22 CHAIR BERLYN: Yeah.

1 MS. TRISTANI: And, I mean, it's very
2 contentious. But -- no, actually, hopefully, in the
3 DTV breakout session -- but, in any event, this is very
4 helpful, that's in the handout, that's -- shows where
5 you're targeting. For those of us who have elderly
6 eyes, it's impossible to read what it means. So,
7 that's just -- if you could -- it would be very helpful
8 if you could redo this so that we can read and see in
9 better way how you're targeting. But I do want to
10 point it, it's leaving out Puerto Rico, U.S. Virgin
11 Islands, and other U.S. territories, which are in the
12 populations that need to be targeted very heavily. So,
13 I know -- you know, the FCC many times leaves them out
14 of their maps, as well.

15 MR. ALEXANDER: Right. Understand.

16 MS. TRISTANI: But -- would like to hear
17 about what's being done in those areas --

18 MR. ALEXANDER: And I'll say this briefly,
19 because, again, there are -- other people have to
20 speak. One of the groups that we are very, very proud
21 of is the Univision organization. They have taken this
22 consumer education effort to a terrific level, well out

1 in front of the rest of the industry, although the rest
2 of the industry is catching up and doing a great job,
3 as well. But, in terms of the Spanish-speaking
4 population, between Univision, Telefuturo, Telemundo,
5 Azteca, all broadcast networks -- and I want to just
6 underscore that, and then I'm going to sit down -- all
7 broadcast networks are engaged in this 98-billion-
8 dollar-impression effort. It is, as Jack Sander, when
9 he was here a few weeks ago, joint board chairman for
10 NAB -- as he said, it is in our business best interest
11 to do this. This is not -- not only is it the right
12 thing to do, it's a responsibility that broadcasters
13 have. This is our business. If we lose eyeballs, we
14 lose revenue, which is business. So, we all take it
15 very, very seriously, and especially the Spanish-
16 language broadcasters, who understand, as you do,
17 Gloria, that that population is disproportionately
18 affected, even more than the other disproportionately
19 affected. It's a tremendous amount of over-the-air
20 viewing that happens in that community. So, I'm
21 pleased to say they're on the field, moving down, and
22 doing a great job, and will continue to do a great job

1 with that.

2 CHAIR BERLYN: Ken has promised me one very,
3 very quick question.

4 MR. ALEXANDER: Okay.

5 MR. McELDOWNEY: Does the toolkit contain
6 samples of the publication in printed form, plus an
7 order form, so people can order them in bulk for free,
8 in English, Spanish, and Asian languages?

9 MR. ALEXANDER: Can somebody help me with
10 that question?

11 MS. DANDRIDGE: The toolkit is available
12 online, as well. It is DTVanswers.com/toolkit, and you
13 can view any material we have, a lot of which is in
14 those packets in front of you, and our contact
15 information is on there. And if anybody wants to --
16 and I have gotten requests -- some of the aging
17 agencies have requested bulk items, and we're happy to
18 send it out, within reason. You can contact us, and
19 we'll send you whatever you need. It says that on the
20 Web site. You can access all the materials.

21 MR. McELDOWNEY: First of all, a lot of
22 community groups don't have access to the Web. Does

1 the -- I just -- does the toolkit contain printed
2 copies of the brochures and flyers plus an order form
3 that agencies can order for bulk in -- free -- in
4 English, Spanish, and Asian languages?

5 MR. ALEXANDER: Correct me if I'm wrong,
6 here. The toolkit is a CD.

7 MR. McELDOWNNEY: Okay, then it's basically
8 worthless.

9 MR. ALEXANDER: Well, if you see something on
10 the CD that you need, as Vinny said, we will provide
11 that.

12 CHAIR BERLYN: Thank you very much,
13 Marcellus.

14 MR. ALEXANDER: Okay. Thank you.

15 CHAIR BERLYN: Appreciate your giving us such
16 a good picture of what you're doing.

17 [Applause.]

18 CHAIR BERLYN: Our next speaker is Rob
19 Stoddard, from the National Cable and
20 Telecommunications Association, NCTA. He -- Rob is
21 senior vice president of communications and public
22 affairs. And, at our last meeting, when we were

1 talking -- our last full meeting that we had, when we
2 were talking about the DTV transition, we were very
3 anxious to hear what cable's role in the transition has
4 been, and will be, going forward.

5 And so, Rob, we very much appreciate your
6 coming here and telling us about your campaign.

7 MR. STODDARD: Thank you, Debbie. Bear with
8 me just a moment, we'll try to get my presentation
9 pulled up here for you. Great.

10 Good morning, everybody, and thank you so
11 much for the opportunity to visit with you. Again, I
12 work for the National Cable and Telecommunications
13 Association. We represent cable operators, the owners
14 and operators of cable systems that serve about 90
15 percent of cable subscribers around the country, as
16 well as programming services that offer more than 200
17 programming channels, cable channels, if you will, on
18 cable channel lineups, as well as a variety of the
19 manufacturers and vendors and suppliers that bring all
20 of the electronic hardware to our business to be able
21 to distribute all of this stuff.

22 I wanted to do a couple of things. First,

1 wanted to thank Marcellus. It's always hard to follow
2 Marcellus, because he is so good and such a terrific
3 advocate for his organization and for his industry.
4 And also -- and I'd like to strongly emphasize this
5 point, and that is the importance of the coalition,
6 that we've mentioned a couple of times in passing. I
7 think Marcellus was so intent -- appropriately intent
8 on sharing with you what the broadcasters have
9 committed to do that I didn't -- I didn't want you to
10 overlook the importance of the coalition.

11 The coalition is important -- and I'm a
12 communications practitioner for my industry -- it's
13 important, because we've kind of created this among all
14 of these private and public interest groups to act as
15 something of a funnel for so many of the private-market
16 communications that need to go forth. So, the concept
17 of having a coalition is to sit with a steering
18 committee -- and the number of people that participate
19 in our regulation meetings is fairly substantial -- and
20 to create messaging based on our conversations with
21 NTIA, with FCC, with many of you, with all of the
22 groups in this space that we deal with, and to try to,

1 in fact, develop that common messaging that I've heard
2 several of you refer to so far this morning, but then
3 to turn that around and to count on the groups that
4 comprise the coalition, not only to help us get the
5 messaging right, and help us figure out, tactically,
6 how we can do the distribution of this critical
7 information, but, in fact, to reach out to their own
8 members and their own constituents, and to speak in the
9 appropriate languages, both formal and informal
10 languages, of course, so that this communications can
11 go forth and people can truly understand it.

12 We -- it's not an overstatement to say that
13 this is somewhat unique in the annals of our history.
14 In fact, we are, in essence, trying to reach 100
15 percent of the U.S. population. That's very different,
16 as you might imagine, for most of the campaigns and the
17 initiatives and the kinds of work that we do, and in
18 which our industries are involved.

19 I also -- I want you, personally, to know the
20 work of Debbie and her terrific representation of what
21 you're doing here. Debbie does work with us on the
22 Coalition Steering Committee, and it's not unusual,

1 much to our chagrin sometimes, for Debbie to walk in
2 the door and say, "Gee, you know, that's a great idea,
3 but I want you to know what the CAC feels about this,
4 and I want you to hear the feedback that we've gotten."
5 So, your imprint, not only is coming through in this
6 face-to-face communications we have with you today, but
7 through your chair, as well. So, Debbie, thank you for
8 that.

9 And, finally, I want to acknowledge the
10 energy in the room. What you're hearing from this
11 group of speakers this morning essentially is what I
12 think of as the glass-half-full portion of the DTV
13 transition. Specifically, the hundreds of millions of
14 dollars in human and financial resources that have been
15 put behind trying to do this well and do it effectively
16 in the most altruistic sense possible. And I feel
17 confident in telling you, while we are all scrambling,
18 at the moment, as cool and relaxed as we're trying to
19 look, in fact, we are sweating substantially, because
20 we understand the scope of the work in front of us.

21 However, the -- as I mentioned, the work of
22 the coalition is critical, and, if you have not

1 considered joining, please do, and please encourage
2 other people to sign up and to help us and to throw
3 into this effort.

4 So, we embrace the comments -- several of you
5 have been so kind to say, "I don't mean to be
6 argumentative," and it's really okay. Be argumentative
7 and throw up as many ideas and suggestions as you can
8 think of, because, unlike perhaps some of the other
9 public facades that some of our industries exhibit to
10 you from time to time, this is one case where we have
11 all agreed, here in Washington, to drop our policy
12 differences -- Marcellus was very nice in not really
13 taking on the multicast must-carry issue, which I'll --

14 [Laughter.]

15 MR. STODDARD: -- I will address in just a
16 moment, Jo, and give you a little bit of our point of
17 view on that. But we have put those differences aside,
18 and this is one table at which we all sit where there
19 is very collaborative conversation, and it all involves
20 the question of, How can we do this better? Because we
21 know -- everybody -- every group that's involved in
22 this can tell you, "If this does not go well, the

1 fingerpointing will all come back to us collectively,
2 and it will come back to us individually as
3 industries." And we feel, because of our relationships
4 with consumers, that we simply can't afford that kind
5 of problem. So, we're going to put as much resource
6 behind this as possible. So, thank you very much for
7 that.

8 So, maybe, Debbie, we'll start the -- this
9 part of the presentation in reverse order, and I'll do
10 some of the Q&A first, and specifically to address Jo's
11 point, which actually, I think, is a superb point, some
12 of the advocacy that you mentioned regarding the
13 multiple channels that are available on digital, in
14 fact, has been raised by Chairman Martin in the course
15 of the past couple of weeks. It has come up in a
16 series of congressional hearings that we have all
17 participated in over the last 2 weeks, as well. And,
18 as Marcellus and Doug so kindly pointed out, the cable
19 industry and its public policy positioning does have,
20 in fact, what I think of as a profound difference with
21 the broadcasters, in terms of what we should do with
22 all of these extra channels.

1 What I can tell you, though, and my first
2 impulse in hearing your question was, the advantage of
3 multicasting not only will be there, but is already
4 there. There's a very strong advantage. First of all,
5 from our perspective as an industry that provides
6 multichannel video that instantly makes the
7 broadcasting industry so much more competitive,
8 competitive against our product and competitive against
9 other multichannel video providers that are out there,
10 because now if you choose to be an over-the-air viewer
11 of television, going forward, you have so many more
12 options than you ever had before, and perhaps there's
13 not quite such strong a compulsion to go out and sign
14 up and subscribe to a multichannel video service.

15 In addition, I want to point out a couple of
16 other things that are critical, I think. Our systems
17 are already carrying, in fact, hundreds of these
18 channels, and have been for several years now. It's
19 really a train that's picking up steam. As multicast
20 channels come online from broadcasters in markets
21 around the country, our systems evaluate them, and they
22 do make, kind of, editorial decisions about whether to

1 pursue them and to carry them. That's incredibly
2 healthy for the competitive environment.

3 And, finally, I'd be wrong if I -- just plain
4 wrong if I didn't mention that the cable industry did
5 establish a private agreement with Public Television
6 stations, through one of the other organizations that
7 will speak to you in just a few minutes, a couple of
8 years ago to embrace the multicast signals of Public
9 Television stations around the country. Many of them
10 are being carried on cable systems now, and our
11 agreement is to carry those stations, going forward, up
12 through and including the time of the transition and
13 beyond.

14 So, just -- the short of it is, I think it's
15 been a terrific windfall for the broadcasting industry,
16 and I personally, as a viewer of television, both over
17 the air and on cable, think it's great.

18 So, my assignment today -- and I have to say,
19 after Marcellus's great presentation and passing out of
20 a ton of paperwork for you to look at, as well as
21 showing spots, I feel a little inadequate, because I
22 came with a PowerPoint presentation. So, I'll try to

1 do my best -- my best explanation.

2 But I did want to address what I believe, and
3 as this slide points out, are perhaps the biggest two,
4 but at least two, of the great imperatives that we are
5 facing as a cable industry in the course of this
6 transition. First and foremost is consumer education.
7 We do acknowledge that this is a transition for
8 broadcast television stations, but we have to
9 acknowledge that we are a principal provider of
10 television services to the American public. So, we
11 know that we need to take a leadership position in the
12 transition and to provide good and decent consumer
13 education.

14 Secondly, I wanted you to -- mostly to know,
15 more than anything else, that we've got a substantial
16 kind of a -- what we would say in the business would be
17 a back-office challenge, and that is getting our own
18 workforce prepared to answer questions and to talk
19 about the transition, because we know, as we get closer
20 to February 2009, that, in our hundreds of call centers
21 around the country, people and our customers, and
22 perhaps non-customers, are going to be calling us with

1 questions about the transition. So, one of the major
2 efforts for our education program is to educate our own
3 workforce about how they should address these issues.
4 And that, frankly, means customer service
5 representatives, technicians, installers, anybody that
6 interfaces regularly with the public.

7 So, those are a couple of the topics I'd like
8 to talk with you about today.

9 So, in the course of addressing consumer
10 education, as this slide points out, we, too, have
11 several major objectives. First and foremost, to
12 participate in and support the work of the coalition.
13 And what does that mean, exactly? The coalition, the
14 -- kind of, the play around the coalition initially was
15 to sit down as a group and try to figure out common
16 messaging, What are the major message points? So, we
17 have tried to bring cables' sensitivities into that
18 discussion. And, of course, the major points, as we've
19 acknowledged and talked about already, include the fact
20 that a transition is going to occur, so we need to
21 raise awareness about it; and then, we need to let
22 people know what their options are. And they basically

1 boil down to three options. One would be to purchase
2 digital television equipment, buy a DTV set; another
3 would be to ascertain an application and obtain the
4 coupon and, with or without coupon, go out and buy an
5 over-the-air converter. And, of course, last but not
6 least, another option would be to subscribe to one of
7 the many multichannel video services that are
8 available. So, believe it or not, we probably took 3
9 or 4 months to get straight on those messages, but it
10 was so critical that we boil them down to some
11 essentials that people could understand, we have spent
12 a fair amount of time on that.

13 Another major objective for us is to educate
14 our own customers and viewers of cable networks,
15 because, as I mentioned -- or I didn't mention, but
16 there are, as you probably know, about 65 million cable
17 households. There are 25 or 30 million households
18 being served by direct broadcast satellite business.
19 And all of those households, of course, fall into the
20 general U.S. population. And, even though many of
21 their television sets are already tethered to these
22 multichannel video services, they are going to have a

1 variety of questions, and we need to help educate those
2 people.

3 And then, the third point that is critical to
4 us, as well, and it kind of follows the second, is to
5 eliminate confusion and create clarity for cable
6 customers. This probably, on the surface, to you may
7 sound very self-serving. And perhaps, to some extent
8 it is. But in the true sense, because of what we
9 expect to be taking place in the public environment
10 over the course of the next year, the sheer volume of
11 messaging about the transition, it is not unusual to
12 think that cable customers are going to sit up and say,
13 "Well, maybe they're talking about me. Maybe I need to
14 get a new TV set. Maybe I need to obtain a new
15 converter box. Maybe I need to take some kind of
16 action." Now, first of all, the odds are that cable
17 households -- cable and satellite households may have
18 to take some kind of action. As you well know, most
19 people who are in multichannel video homes have a
20 number of over-the-air TV sets. Some of them are used
21 for videogames, or using old playback VHS devices and
22 videotapes, others are used for watching television.

1 I'm an example of that. My wife happens to have a
2 favorite spot in the house that's not tethered,
3 currently, to a TV set, so she watches over-the-air
4 television there. I know others in the neighborhood
5 that have TVs in their garages and on patios and
6 elsewhere. So, we need to -- we need for that universe
7 to help people understand that, "Yes, a tethered TV set
8 is a solution; by the way, we think it's a great
9 solution, but we know, going forward, that you may want
10 to continue to watch TV over the air, so, yes, you,
11 too, might have to take some action."

12 So, those are the principal three objectives
13 involved in consumer education for us.

14 This is the part where I really didn't bring
15 show-and-tell, and forgive me if I should have, but I
16 wanted to briefly outline for you, similar to what
17 Marcellus did with the broadcasters, what cable's
18 commitment is.

19 We came out of the box, around Labor Day,
20 with a commitment to mount a campaign worth roughly
21 \$200 million. The \$200-million figure is based on the
22 amount of commercial air time that's going to be made

1 available on cable systems and on cable networks around
2 the country between now and February 2009 to air public
3 service advertising to talk about the transition.

4 These are advertisements, incidentally, that we have
5 commenced creating, ourselves, but we have said, quite
6 frequently, that we'd be interested in any advertising
7 that's created by any groups and organizations. We'd
8 love the opportunity to take a look at anything that
9 you have produced or any coalition of groups has
10 produced, and to make those available via cable systems
11 and cable programmers around the country.

12 In addition -- and I'm going to move to some
13 of this in a moment, of course -- we have developed a
14 fair amount of Web content. We've developed some, and
15 packaged it, as well. Now, let me say, as a caveat, I
16 hear you loud and clear, and we have heard you loud and
17 clear for many months now, that those of us that kind
18 of work in these surroundings tend to think of Web
19 stuff right away. And you were very quick to educate
20 us that that's only a -- in some cases, a small part of
21 the solution. But the important thing that I hope to
22 show you in a couple of minutes is that we have

1 aggregated a significant amount of content. The Web is
2 a great vehicle to provide this information. And I'm
3 going to show you, illustratively, some of the things
4 that we packaged, just to make you aware of the kind of
5 information that's out there. Obviously, the challenge
6 to us as an industry to a coalition is to figure out
7 the most effective ways of extending all of that
8 information through multiple channels.

9 And last but not least, we, too, are
10 developing what we are describing as a toolkit. It is
11 mostly based on internal consumption for us. That is
12 -- I mentioned to you that we need to help educate our
13 own workforce about this. We need to help cable
14 systems and cable networks translate and convey this
15 information to their customers and viewers. So, we are
16 developing a toolkit to help them find ways to do that.
17 So, the toolkit involves -- in addition to these kinds
18 of public service announcements, it involves messaging
19 for on hold, it involves messaging to sent -- be sent
20 via cable boxes to households, it includes scripts and
21 information that can be used in community meetings, in
22 making speeches around the country. It also includes a

1 wide variety of suggestions and tactics for
2 communicating this information to cable customers
3 around the country. These toolkits, I expect to be
4 completed by the end of this month. And our
5 distribution involves getting them out to the thousands
6 of cable systems around the country, as well as the
7 hundreds of cable networks.

8 Let me just pause here and look to our
9 friends at AV. I've brought -- I did bring a spot to
10 play on DVD, and I'm not sure that we're able to
11 achieve that. But -- because I'm not sure we're able
12 to display it for you. Well, maybe we can. All right,
13 well, perhaps, then, lacking the availability to do
14 that, Debbie, I might have the opportunity, at a future
15 meeting, when we'd probably have a significant number
16 of more spots involved, I can show those to you at the
17 time.

18 CHAIR BERLYN: And, Rob, you could give this
19 community the Web site, perhaps, where they can go and
20 look at it online, as well, if they access.

21 MR. STODDARD: Yes. Yes, absolutely. Thank
22 you. That's such a great segue, in fact. I'm going to

1 show you some of that Web content that I mentioned to
2 you, because it starts with our association's Web site,
3 ncta.com. And in a moment I will show you a portion of
4 that Web site that displays the advertising, as well.
5 So, it's available by going to ncta.com. We have open-
6 captioned and closed-captioned versions. We have
7 Spanish-language versions, as well. And we are, at
8 this point, kind of, a rolling PSA machine in trying to
9 create the volume of public service announcements that
10 speak to so many different communities as we go
11 forward.

12 So, again, acknowledging that Web is not the
13 ultimate solution, let me just share with you some of
14 the information that has been aggregated here, to give
15 you an example.

16 First and foremost, we did convert the NCTA
17 Web site to a virtual billboard, really, for the DTV
18 transition. This is what it looks like if you go to
19 the home page. If you were to scroll down, you would
20 begin to see the information that we've aggregated, as
21 is demonstrated on this slide. So, we are providing
22 links to the Web site of the DTV Coalition, to the

1 Spanish-language version thereof, to the Web sites of
2 FCC and NTIA, as well as to microsites that have been
3 developed by the cable industry. And, at the bottom of
4 our so-called "home page," there are direct links to
5 fairly extensive questions and answers.

6 I have to say, I think, at the end of the
7 day, most of this education is going to come down to
8 people asking questions, and those of us in a position
9 to answer having the ability to answer their questions.
10 A number of you have raised questions already about the
11 ability to unify on a single phone number, to send
12 people to a single place. One of the things that's
13 kind of under discussion here in Washington is, Would
14 there be an ability to establish a substantial call
15 center of some kind with a single number so that we
16 could direct all calls? Because I really think that
17 such a multiplicity of television arrangements and
18 households around the country, that people are going to
19 have very individualized questions about this. On the
20 Web, at least, we start with the standard Q's and A's.

21 This is the home page of what we are calling
22 our microsite. You can go to it on the Web, on a

1 direct URL. It's GetReadyForDigital.com. And we have
2 tried to package, on this portion of the Web site,
3 information specifically targeted to those 65 million
4 households that are cable customers, that I mentioned
5 to you. If you were to click on the line that said,
6 "What is the digital transition?" there's a brief and,
7 I hope, concise explanation of what the transition is.
8 We've tried to do this in plain English, or Web
9 language, if you will, so people could understand it.

10 We have packaged information kind of posing
11 the question, "Are you ready?" And there are a series
12 of questions here we've tried to provide answers to --
13 What do I do if I'm a cable customer? What if I have
14 an analog TV connected to an antenna? What do I do if
15 I want to buy a new digital TV set? -- and so on and so
16 forth. So, we've tried to break down the information
17 in understandable chunks.

18 Still, as part of this site, we have an
19 opportunity for people to link to even more
20 information. And this is, again, links back to the
21 government sites, links to the sites of our many
22 partners in the coalition, so that people who are Web-

1 enabled, have Web access, have the ability to bounce
2 around, here.

3 There's an extensive question-and-answer
4 session, as I mentioned. And there is an opportunity
5 to see the television spots.

6 And, last but not least, I am -- I am not
7 fluent in Spanish; however, we are working very hard to
8 make sure that, initially, Spanish-language
9 representation of all this information is available. I
10 think it's going to be a significant challenge to us,
11 in the entertainment and communications industry, in
12 managing all of the languages in which this information
13 needs to be provided. So, at the moment, that's kind
14 of a question that's in the parking lot, and we're
15 going to find ways to address it.

16 Within the cable industry, most of our
17 customer call centers provide answers in multiple
18 languages. And, in some markets, such as New York and
19 Los Angeles, frequently up to 20 or 30 different
20 languages are spoken. But, as a community, we're going
21 to have to decide together how to address the
22 linguistic issue.

1 If I may, before I close and take any of the
2 other questions, let me just touch on this area of
3 cable's, kind of, customer care needs on the
4 transition. First and foremost, we need to do an
5 effective job in helping train and educate cable
6 employees, as I mentioned. We need to prepare these
7 call centers to answer the questions that they're going
8 to get from customers.

9 And here's the toughest thing that happens in
10 the call center, you know, environment. It's not just
11 answering the questions -- and I'm looking at my friend
12 and colleague, Dodie Tschirch, who works at
13 Cablevision, operates a number of these call centers --
14 it's making sure that our representatives answer the
15 questions accurately, take the time to talk to people
16 and to help them understand what it is they need to do.

17 And, of course, in addition to that, I
18 mentioned we have so many personnel that frequently are
19 in customers' homes. These are technical and
20 installation crews. These are -- these are generally
21 personnel that are easy to train in technical issues --
22 that is, if you need a box wired, or if you need to

1 figure out what to do to the back of your TV set, these
2 people are generally good at answering those questions
3 and handling them, but this provides an additional
4 intellectual challenge of having to help them talk to
5 customers about the great breadth of these transition
6 issues. So, we have to work very hard on that, as
7 well.

8 So, what are we going to do in the months
9 ahead? We will continue to work with the coalition
10 that I mentioned. We're going to further escalate all
11 of this consumer education, do our messaging, and
12 ratchet up the awareness-building. We will continue to
13 roll out public service advertising. We, of course,
14 are a multichannel video business, so we're going to --
15 we're focused primarily on television advertising, but
16 we think there's a substantial role for radio
17 advertising, for print advertising, for outdoor
18 advertising. We will talk, in our own industry, about
19 that, and we'll work with our partners on the coalition
20 with that.

21 We, of course, will focus on preparing our
22 companies and their employees to assist in the

1 transition.

2 And, last but not least, and perhaps most
3 importantly, particularly for today's purposes, we want
4 to seek your guidance and feedback and any advice that
5 you can provide us on how to do this better and make it
6 work.

7 Thank you very much for your attention, and
8 I'm happy to take any questions you might have.

9 CHAIR BERLYN: Thank you, Rob.

10 Do we have any questions for Rob?

11 Yes, Joel?

12 MR. KELSEY: Yeah. I was wondering, What are
13 your plans for cable customers that have set-top boxes
14 without digital tuners in them? You know, as cable is,
15 kind of, only required to carry both analog and digital
16 for 3 years, what's your plan to help them upgrade by
17 2011, 2012? How much would it cost them? Do you have
18 any idea of how many consumers in America there are
19 that fall into that category?

20 And I guess the other caveat I would put on
21 it is, What about the consumers that don't have set-top
22 boxes, that just plug their cable wire into the back of

1 their television set? How do you plan to educate those
2 folks and let them know what'll happen in a few years
3 from now?

4 MR. STODDARD: Joel, those are great
5 questions, and thanks. Let me, first of all, maybe
6 sound a little apologetic and say, I'm not sure that we
7 have prepared ourselves for 2012 yet.

8 [Laughter.]

9 MR. STODDARD: We -- if you'll forgive me for
10 saying this -- clearly, most of our effort on the -- at
11 the moment is focused on 2009. You also make reference
12 to the compromise deal that we did strike with the FCC
13 that requires that we carry the principal signal of
14 broadcast television stations, the so-called "must-
15 carry stations," both in digital and analog for a
16 minimum of 3 years after the transition, so that would
17 run through to February of 2012.

18 Another part of your question, you wondered,
19 kind of, what the universe was. It's safe to say, in
20 general, that about 50 percent of cable subscribers, at
21 this point, are subscribing to so-called digital cable.
22 They may not be watching television on a digital TV

1 set, but they are receiving digital tiers of cable that
2 are being displayed on their digital or analog
3 television sets, as well.

4 The great news about the decision from the
5 FCC is that -- great news, I guess, first, because we
6 were agreeable to it, and, secondly, because it
7 requires our cable systems to provide this principal
8 signal both, as I mentioned, in analog format and in
9 digital format. And that means, if you have a
10 television set that's simply tethered -- if you have an
11 analog TV set that is simply tethered to a cable, it
12 will continue to display broadcast television signals
13 after February of 2009, because we will need to
14 technically take any digital signals and reconvert them
15 to analog and make them available in that analog
16 cluster of channels. So, in essence, the agreement
17 with the FCC enabled us to say that there will be
18 virtually no change in cable service, you know, from
19 January of '09 to February of '09, because we will be
20 continuing to provide those broadcast signals in that
21 analog cluster of channels.

22 The 2012 question is a monster, admittedly.

1 But I'll answer this, maybe not on behalf of my
2 industry, but personally, and say that we have, in
3 essence, time on our side in that case, because the
4 technology is helping us out already. Technology is,
5 in many ways, moving people into the digital
6 environment. They're not, at this moment in time,
7 being forced to do it, but those people who do have to
8 make decisions about buying new equipment, those people
9 who are thinking about increasing the amount of choice
10 they have in watching television, many of them are
11 voluntarily moving to digital, because the technology
12 is there and available.

13 In future years, digital compression, the
14 amount of stuff that we're able to squeeze into
15 television signals, probably will increase. We're also
16 looking at a kind of an arcane terminology, but a
17 technology called "switched digital video," which
18 should give us the opportunity, I think, to provide
19 more services in the digital environment.

20 So, we will have issues to deal with in 2012
21 if, in fact, some of our systems decide not to continue
22 adhering to that requirement after 2012. But I do

1 think that we're going to have, fortunately, a much
2 smaller pool of households to look at than we would
3 today.

4 So, the technology will work on our side, and
5 we, in the meantime, have to come to terms with that,
6 as an industry, in terms of what we'll do.

7 CHAIR BERLYN: Thank you, Rob.

8 I think we will thank you for your
9 presentation and move on to our next speaker.
10 Appreciate it. And we'll take you up on your offer to
11 come back at some future point.

12 MR. STODDARD: Debbie, I appreciate it.

13 CHAIR BERLYN: Thanks.

14 MR. STODDARD: Thank you very much.

15 [Applause.]

16 CHAIR BERLYN: Our next speaker -- our next
17 speaker is representing the public television stations
18 association -- it's APTS. And I have your bio here,
19 Jeff.

20 Jeff is vice president of communications for
21 the Association of Public Television Stations, a
22 important part of this DTV transition puzzle. We heard

1 from the broadcasters, but also for the millions of
2 Americans who rely on the programming of their public
3 television stations around the country, many of whom
4 are analog-only households. So, I know APTS is quite
5 concerned about the transition and has been working
6 very closely with the coalition and many other consumer
7 organizations to partner in that effort.

8 So, thank you, Jeff, for being here today.

9 MR. DAVIS: Thank you, Debbie. And good
10 morning, to all of you. And thanks for having us here
11 today.

12 As Debbie did mention that we do -- APTS does
13 represent the Nation's public television stations. We
14 are broadcasters, and a lot of our members are also
15 part of the NAB. And we are working very closely with
16 the NAB on the overall DTV transition, consumer
17 education campaign.

18 I will touch briefly on that, but, in light
19 of time, I will just really focus on what public
20 broadcasters are doing that's distinct from the DTV
21 Transition Coalition, and, kind of, some issues that we
22 see that we're -- would hope that this committee could

1 help us resolve and move forward.

2 I guess my first slide, I'll get right into.
3 We are talking about the issue of consumer awareness,
4 generally, of the transition. APTS has been working
5 with Centris to conduct some studies to just see where
6 people are and what sorts of understanding there is of
7 the transition.

8 Our first study came out, back in November
9 2006, last year. And we asked people, just did they
10 know that this digital transition was coming? The vast
11 majority, 61 percent, had no idea, and another 17
12 percent only had somewhat of an awareness of it. So,
13 there was a huge public information effort that was
14 required. And, in light of these findings, the DTV
15 Transition Coalition came together as a group of
16 private-sector entities who really said that we need to
17 start working -- we really need to start raising
18 consumer awareness of this transition that's coming
19 along.

20 Since February 2007, the coalition has been
21 working, and we have been pushing some information out.
22 Local stations, commercial and public, have been airing

1 announcements already about this, and have been pushing
2 out some information on it over the past year. And we
3 found, in August, that those efforts are starting to
4 bear fruit. The number of Americans who had no idea of
5 the transition fell by 10 percent, to 51 percent,
6 although 17 percent were still somewhat aware. This is
7 a positive move, but obviously there's a lot to be
8 done. And, given that we're doing the whole country
9 all at once, I think we are shooting for 100 percent.

10 We talk about the U.K. model and what
11 happened there, and I think reports show that even
12 going door to door and touching each, almost, citizen
13 of the U.K. three times, that they're at 90-percent
14 awareness, which is still leaving 10 percent of their
15 citizens unaware. And in the U.S., that would be some
16 30 million Americans who wouldn't be aware.

17 So, this is a huge undertaking, and the
18 recent announcement by NCTA and NAB and APTS to do
19 public awareness campaigns is crucial. We try to
20 explain to the government that it's crucial on their
21 behalf that something be done, because when we talked
22 about what these -- with the people we surveyed, "Okay,

1 this is what's happening. The transition is coming.
2 Your options are going to be to subscribe to cable, get
3 over-the-air television, via a converter box, or buy a
4 DTV set that can get it." And we just said, "This is
5 what would have to be done to get you through the
6 transition. Based on this information, do you think
7 the government's on the right track or the wrong
8 track?" Of those responding to our survey, more than
9 50 percent, even if they are aware or unaware, said the
10 government's on the wrong track. So, the message is
11 not getting out there that there's a real benefit.
12 People don't understand why they have to do this.

13 It's important for the government, in their
14 consumer education efforts, to really explain to people
15 what's going on.

16 The good news is, if you do explain them, and
17 they are aware of it, you know, they are more likely --
18 three times more likely. But, still, they're still not
19 sold. And I think that that's something that the
20 government's going to have to really come and work with
21 those of us who are the key stakeholders to help get
22 that message out. And we have, as we said, 14 months,

1 15 months to go. So, there's not a lot of time to make
2 this message out.

3 For our parts, all of us in the DTV
4 Transition Coalition support the transition. We're
5 encouraged by it, we want it to happen, there are a lot
6 of reasons why we think it's good. And we're out
7 there, talking about the benefits of the transition,
8 not so much that people are going to lose reception on
9 a analog TV, which is actually a myth, because they
10 will not lose reception on the analog TV, they can buy
11 a set-top box and those analog TVs will still work.
12 What we -- or they can have cable, and, at least
13 through 2012, they will still work. So, these TVs will
14 not be obsolete. They just will have to do something
15 to make sure they continue to get 'em.

16 But we're also saying, it's on the consumer
17 side, it's a benefit side. It's more programming, it's
18 higher-quality picture and sound. I think these
19 benefits need to be explained, and it's what we're
20 going out there with. This is a positive message that
21 Marcellus is talking about. We need to encourage
22 consumers to embrace the transition and take action,

1 not through fear, but through, you know, a sense that
2 they're going to get something better.

3 So, that's the way that our coalition has
4 been moving forward, and that's the way public
5 television has been educating our consumers about the
6 transition.

7 Joining in with NAB on October 15th, public
8 television stations and PBS also announced our campaign
9 to educate consumers. Like NAB stations, we are going
10 to air spots across the daytime, prime-time, and
11 weekend time periods. Our philosophy is that -- and
12 David Rayer, of NAB, said it best, you know, in 210
13 markets across the country, there'll be 420 ideas on
14 how to deliver this message. We think that it's a
15 local issue, that the stations best know how to talk to
16 their communities. And I'll have some slides in a few
17 moments to, you know, kind of drive that point home.

18 Public television will reach 3 billion
19 impressions over that campaign. We obviously have a
20 lot of children who come watch our programming, so
21 targeting those households will help, especially with
22 the single parents that you were talking about. They

1 will still get the message over the air, and we hope to
2 reach them through that. We're obviously going to use
3 our other resources, program guides, our Web. But
4 we're also going to do more outreach, which I'll talk
5 about in a second.

6 Our approach so far has been to work with the
7 DTV Transition Coalition. And these are the founding
8 members of that coalition who have joined us in
9 February 2007 -- you know, really took the lead in
10 getting this together and saying that we need to work
11 together, put our policy differences aside, and just
12 work towards a common goal. And I think we've been
13 very good at that.

14 Now, the DTV Transition Coalition's goal is
15 to make sure that no consumer is left unaware of the
16 transition. It's a purely awareness campaign and it's
17 taking an incredible amount of resources to try to push
18 that not-aware number to zero. And that's just going
19 to take a huge effort, and we're fully engaged in that,
20 and we're working together to achieve that.

21 Obviously, you've seen the Web sites, and I
22 won't go into a lot of detail on that, just to say that

1 our stations are using their resources the same way as
2 cable and NAB's members are. So, we're all moving
3 forward on that.

4 But, in public broadcasting our goal is a
5 little bit further. We want to preserve over-the-air
6 broadcasting. We think that free -- oh, and Rob
7 alluded to this -- free, over-the-air television is key
8 and is a consumer issue. It's, you know, vitally
9 important that consumers are still able to get their
10 television programming without spending any additional
11 money.

12 We want to, and all broadcasters want to,
13 make sure that there's a robust consumer offering out
14 there over the air, so that people are happy with what
15 they're getting. The local commercial stations here
16 are simulcasting. Everything that you get on digital
17 cable, you can over the air with a DTV tuner and set-
18 top box right now. There are weather channels that the
19 local stations have, 24/7; public broadcasting has our
20 stations in the local area -- we have WETA that's
21 broadcasting four channels, Megahertz Networks, which
22 is broadcasting another four channels. So, we think

1 the consumer proposition and value is there, and we
2 want to preserve that.

3 One thing that we found, the DTV Transition
4 Coalition, by necessity, it does not endorse any
5 particular outcome. I mean, obviously, you know, the
6 message -- the point of the coalition is to get the
7 information out there so people are aware. But there
8 are -- a key proviso of the coming together as a
9 coalition is that our own industries can do whatever we
10 want to do, beyond the simple messaging. And so, the
11 broadcasters really are looking at the next step for
12 what we see as preserving over-the-air broadcasting.
13 And it's more like, if you let people know that this is
14 coming, that's great, but we want to give 'em a roadmap
15 to take action, and that's why NAB uses DTV action
16 spots, because it's setting up people to take action.
17 It's great to know a tornado is coming, but if you
18 don't know what to do and how to save yourself, then
19 it's not -- you know, the information isn't that great.

20 So, APTS and public broadcasting have a long
21 history of outreach campaigns, of working with
22 community partners around our programming. Some of you

1 may recall, a few years ago we had a show called "The
2 Forgetting," and it was talking about Alzheimer's. And
3 one of the big things that we did with that show is, we
4 had a huge outreach campaign, where we went into the
5 community and started dialogue and discussion about
6 Alzheimer's issues as the shows were being broadcast.
7 And we did that also with Ken Burns' "The War." So, we
8 have a long history of working with partners and tying
9 our programming to actual outreach events in the
10 communities. And we talked to NAB and LCCR, and we
11 like that model, and that is a good model for going
12 forward. AARP is also involved

13 So, what we've formed right now is what we
14 call the Consumer Education Program Alliance. And this
15 is the next phase. After people are aware that this is
16 happening, how do we help, you know, get them through
17 the digital transition? APTS, as I said, we represent
18 the public television stations who have been doing
19 outreach, and most stations have outreach personnel in
20 their -- on staff. The Leadership Conference on Civil
21 Rights, which represents NAACP, the National Council of
22 La Raza, and church organizations, education

1 organizations all across the country, they're really
2 the grassroots that we're going to work with. We also
3 are working with the Alliance for Rural Television, and
4 they're really focused on reaching the rural
5 communities out West and in Alaska. And that actually
6 brings me to a funny story, but I'll get back to that
7 later. And then, AARP, obviously, seniors have a huge
8 interest in this. My dad is 80 years old, and he's
9 always received his television over the air. And so,
10 he's my first consumer education test case. I'm trying
11 to explain this one to him, and it's going to be
12 challenging. I'm trying to not do what I would
13 normally do and just say, "Stand aside, I'll get you a
14 box, I'll set it up, and, you know, it'll all be done."
15 I think a lot of that will have to be done out there in
16 the community, going forward. I think that all of us
17 recognize that there's going to have to be some help
18 devoted, and that's going to take resources from the
19 government to support these groups. But, also, we're
20 trying to make sure that our information, our messages
21 are detailed enough so that seniors know what to do and
22 low-income folks know what to do, everyone knows what

1 to do to -- how to get through the transition.

2 Obviously, it's no surprise, we are seeking
3 government funding to support our efforts. Making this
4 information available is not free, and all of our
5 organizations in CEPA are relying on our own resources,
6 which are very limited. So, we are working on that.

7 But we are moving forward and -- without that funding
8 -- to build a community-based outreach model.

9 Recently, we met with the American Association --
10 Librarians Association -- Library Association, and they
11 showed great interest in participating, as well, and
12 we're trying to build a grassroots coalition to move
13 that forward. At the national level, we're going to
14 create the materials, and we're going to distribute it
15 through our partner organizations and encourage them to
16 take action.

17 Just moving forward, let's talk about some of
18 the major challenges, going forward.

19 We are all talking about the message, What is
20 the message with this transition? And we -- I mean,
21 everyone here knows that there are numerous messages
22 that have to go out there. If you receive your

1 television over the air on an analog set, you need a
2 converter box, maybe. If you get it through cable,
3 we've already talked about -- is it digital cable or
4 analog cable? They're set until 2012. If they get it
5 via satellite, those folks are okay.

6 Here's a demographic of -- or a overview of
7 Idaho Public Television, and the State that they're
8 dealing with. The areas that you see in red are
9 covered by what we call "translators," which are
10 repeaters, to get down into valleys or to pick up the
11 power to hit communities who are not close to the
12 translators, which are the little green dots, which are
13 very hard to see, even here. The people in blue are
14 covered by the main translators. And you probably know
15 that the -- I mean, the main transmitters are in blue
16 -- the transmitters are what are required to go digital
17 in February 2009. The translators are not. So, when
18 you deliver a message to a consumer in Idaho, Idaho
19 Public Television is really talking to only 31 percent
20 of their viewers. If they say, "If you get your
21 television over the air, you need to get a digital --
22 you know, a set-top box," that's not exactly true. If

1 you need -- if you get your television over the air via
2 a transmitter, you need one. If you get it via a
3 translator, you don't necessarily need one. That's a
4 very, very difficult message to deliver. And Idaho is
5 working hard to try to figure out how to do that.

6 And, obviously, the messages that go to --
7 that Idaho Public Television puts out are picked up by
8 the cable companies. They don't necessarily have a --
9 they don't have a separate programming stream for cable
10 than they do for broadcast, so the message they put out
11 will be heard by cable viewers. And so, the message
12 has to be clear enough, and have enough detail, so it
13 does not confuse those cable viewers.

14 We are working with our partners to try to,
15 you know, give the stations the flexibility to craft
16 these messages. The DTV Transition Coalition, all of
17 our efforts take these messages -- take a national
18 message, a single message, and pushes it down and gives
19 the stations ideas on ways to communicate it. But,
20 ultimately, getting the message out is going to be a
21 grassroots effort that stations have to do.

22 This committee can help us by, you know,

1 working with the FCC to let them know that, you know,
2 the messaging that goes should be a local matter, it
3 should remain with the States, and that they should
4 have as much flexibility as they can to work with their
5 own particular communities' own particular needs to get
6 that message out, using their own air resources as a
7 supplement, that grassroots activities.

8 And, just to show you how big of an issue
9 analog transmitters are, this map, right here, shows
10 you the -- red dots are the transmitters. Those are
11 the ones that are going to be changing. And the green
12 dots are the translators. Those are the ones that are
13 going to remain analog. So, all these areas have to
14 have those complicated messages being broadcast.

15 Another thing that you can do, as a
16 committee, to work with the FCC is that we really need
17 the FCC to issue final rules for the digital
18 translators. We need to make sure that we know what's
19 going on with all these translators so we can get a
20 single message out.

21 We can give you this language, but, you know,
22 basically, if the FCC does not complete the translator

1 conversion by 2009 -- and they need to do their rules
2 very quickly to do that -- then we're really spending a
3 lot of extra resources giving two different messages to
4 people who receive television over the air. We hope
5 that the Commission will make the translators --
6 digital translator a -- conversion -- a priority for
7 them, and move forward on that.

8 And then, the last thing that I wanted to
9 bring up -- and I was talking with Julie about this
10 briefly -- and I forget who asked the question about
11 those TVs right there. Those TVs are getting over-the-
12 air signals, but they're getting those off of a rooftop
13 antenna. Like I said, our goal is to make sure that
14 everyone gets through the transition. And one of the
15 things that we are starting to hear from our stations
16 is, there's confusion over set-top antennas. Right
17 now, there are some that in -- at -- when we had our
18 press conference at NAB, a reporter in Baltimore asked
19 about that. He said, "I bought this digital
20 television, and I have set-top antenna, but I'm not
21 really getting a signal, I'm not sure which way to turn
22 it." It turns out that some of the stations -- because

1 we are doing simulcasting, some are still on VHF and
2 some are on UHF, and the VHF are the straight-line
3 ones, and the UHF are the circular ones. And so, right
4 now they are, you know, just -- you've got to get some
5 special antennas for that. We --

6 MS. KEARNEY: Can I add to -- sometimes you
7 have a converter box, and the same would be true with
8 the tuner -- you may have to rescan the channels to
9 make sure you're picking up the digital channels.

10 MR. DAVIS: Exactly. Exactly. So, you know,
11 there just is -- I mean, all these -- all these issues
12 can be -- can be dealt with. And, basically, Julie has
13 offered to work with APTS so that we can get the
14 message out to our stations, so that our stations can
15 know how to answer these questions, and to actually
16 provide help when their viewers call in. But it's just
17 something that we wanted to highlight, that it's not as
18 simple as getting a box, taking it home, and it works.
19 One of the antennas that we -- and everyone ask APTS
20 has been trying to do this on their own. You know, I
21 bought a digital television set and put it in my
22 kitchen to try to figure out which antennas work best.

1 The Terk antenna, pictured here, actually does work
2 really well. The problem is, the list price is \$69.
3 We -- I actually see this as a consumer issue, and --
4 for our viewers. Public television, for our own sake,
5 does not want to start talking about, "This is your
6 answer. This is your answer. And, by the way, you
7 have to get \$70 for every television you want to do."
8 So, we do want to call on the FCC to, you know, work
9 with us to find out which antennas work best in which
10 situations, really get that information together so we
11 can disseminate to our stations, so they can
12 disseminate to their viewers. For our part, we're
13 going to try to get the answers ourselves and
14 disseminate it. But that would be a great place where
15 the government can step in to really help it. I think
16 that when we do go out with messages about what it's
17 going to take, I think that if we can say that it's
18 going to cost you \$150 per TV, it's going to cost you
19 \$70 per TV after the coupon, whatever the answer is, we
20 should know that.

21 And then I also -- I want to put a -- mention
22 that Marc Pearl, of the Consumer Electronic Retailers

1 Coalition, also has some very legitimate insight on --
2 when we start airing these DTV action spots and telling
3 people, there has to be a lot of coordination between
4 the manufacturer of the boxes and the retailers, so
5 that the retailers can make sure they have the boxes in
6 stock, so when the television stations start telling
7 people to go to get it, that the boxes are actually
8 there. I think that's a huge issue, and I just want to
9 echo -- before Marc actually says it, I want to echo
10 that that is something that we think is very critical,
11 and that this committee, we hope, puts it, you know,
12 also at the top of their list of things they need from
13 the FCC and NTIA.

14 And, with that, I'll take any questions.

15 CHAIR BERLYN: Thank you very much.

16 I think we're going to move quickly to Julie
17 now, and then we have Marc Pearl. So, we are, you know
18 -- as you've known all morning, we're a little off
19 schedule, but we're working to get ourselves a little
20 closer to schedule here.

21 Julie is, as you know, a member of the CAC
22 and also representing Consumer Electronics Association.

1 We thought it would be an important component of this
2 transition to hear from Julie, to hear what's happening
3 with the converter boxes and what they're doing to help
4 consumers figure out what they do with these boxes and
5 how they get them.

6 So, Julie, thank you for being here --

7 MS. KEARNEY: Thank you.

8 CHAIR BERLYN: -- sharing with us.

9 MS. KEARNEY: I'm just getting some technical
10 assistance here from my friend.

11 CHAIR BERLYN: Is there anyone on the phone
12 at this point?

13 VOICE: Yes, there is.

14 CHAIR BERLYN: And can you just let me know
15 who that is, again?

16 MR. STEPHENS: This is Brandon Stephens,
17 Eastern Band of Cherokees.

18 CHAIR BERLYN: Okay, Brandon.

19 Brandon, we -- make sure that I address you
20 at the end here for questions, if you have any, as
21 well.

22 MR. STEPHENS: No problem.

1 CHAIR BERLYN: Julie, are you set?

2 MS. KEARNEY: Let me see what our technical
3 guru has to say.

4 CHAIR BERLYN: Okay. I actually don't really
5 need my slide show, so if it's not going to work, we
6 can -- we can forego it. All right. Thanks.

7 It's really good to be here today. I will
8 dispense with the introduction of who CEA is. I think
9 you know who we are. If you walk into any Circuit City
10 and look around, probably most of the products there
11 are members of CEA. If you open up all those devices
12 and take out the guts, they're probably manufactured by
13 a CEA member. And I'm proud to say that Circuit City
14 is a CEA member, as well.

15 We've been very actively engaged in the
16 transition, and I've been using my parents as a
17 barometer. And, not to point out any particular
18 members of the DTV Coalition, but I've been -- I asked
19 my parents, who dropped their cable service a few years
20 ago, so they are primary viewers of public television,
21 and I asked my mother if they planned to get a
22 converter box or to resubscribe to cable or satellite

1 or telco, and she said, "We are just going to go dark.

2 That's it for us. We're done.

3 [Laughter.]

4 MS. KEARNEY: "We love you, but we're done."

5 And I said, "Well, you know you'll get five channels of

6 public television if you get a nifty converter box."

7 And she said, "Really? Oh, okay, then we will

8 transition and we will get a converter box, because

9 getting five additional channels of public television

10 is right up our alley."

11 So, if they're going to do it, I will gladly

12 fly up and show them how to do it. But, hopefully,

13 with all of CEA and the DTV Transition Coalition's

14 resources, they will be able to do it on their own.

15 CEA has been actively engaged in educating

16 consumers, really for years now, but I want to just

17 tell you a bit about what we're doing on the Web, and

18 then I'll talk a little bit more about our video

19 materials and some of our printed matter.

20 These are the Web sites that CEA has launched

21 for the transition. My Green Electronics, dot --

22 actually, we're going to go through individually. The

1 first one is DigitalTips.org. And that is a site where
2 you can go and have interactive buying guides, really
3 for a myriad of devices, but we've also got material on
4 the converter box, we're also very pleased, we have
5 launched a quick-start guide for the converter box.
6 It's a -- really a generic guide, and I've handed them
7 out to each of you at your places today. We're also
8 happy to provide them to your organizations, if you'd
9 like them. But it's really just one size fits all, how
10 to set up your converter box when you get it. Each
11 individual manufacturer will have their own instruction
12 materials, but this is just a sneak peek at how that'll
13 be done.

14 We have also included a link for the FCC's
15 new consumer advisory on closed captioning, and we are
16 very proud that they -- that the FCC has done this.
17 Actually, they beat us to the punch. We were doing our
18 own. But we had been talking with members of the
19 hearing-impaired community, and we're very pleased to
20 be able to have a link to this guide on our Web site,
21 as well.

22 In addition, for the converter boxes, talking

1 to members of that community, we have a closed-
2 captioning button on the remote. We do look forward to
3 continuing our dialogue with all of you. If you have
4 concerns as we go through the transition related to
5 your communities, please let us know. We're really all
6 very interested in making sure that all constituencies
7 transition smoothly.

8 So, DigitalTips.org is a great place to
9 start. If you have questions, if you want to know what
10 kind of -- not specifically if you should get a Sony or
11 Panasonic, but what kind of TV, what kind of box, what
12 kind of service you may want to hook up to.

13 Jeff talked a little bit about antennas. We
14 have a Web site called AntennaWeb.org, and you can go
15 in and type your ZIP Code, and it will tell you what
16 kind of antenna you may need. This is if you're not
17 getting a clear signal from your -- from your over-the-
18 air. You can go in and take that -- print that out,
19 take it to a retailer, they can help you find the right
20 antenna if you need one. The view is that, if you're
21 in an area now that has a lot of snow, and you're not
22 getting a great service, and you're kind of on the

1 fringes of a signal or there's a lot of -- there are a
2 lot of buildings in the way, it's possible, when you
3 switch to digital, that, because it's an all-or-
4 nothing, it's a cliff effect, you may not have a
5 signal, and you may need an antenna, possibly. But you
6 will find out, hopefully, on February 18th, '09, that
7 that is not the case. But the traditional rabbit ears
8 that you are now hooked up to should work. And
9 actually, we found that was true in our house when we
10 moved, and we pulled in some beautiful HD signals over
11 our -- over our television. So, that's AntennaWeb.org.

12 The DTV Transition Coalition, we were a
13 founding member and are very proud of the work that
14 we're doing with that organization. And I think the
15 groups here have given a really good outline of what
16 that involves. We encourage everyone here to belong.
17 It is a wonderful, wonderful organization. It's very
18 rare that you find all of our groups in the same room
19 agreeing on something. And, because this is not a
20 policy organization, we can really get the message out
21 in a very neutral way.

22 And I was really thrilled with the event on

1 Capitol Hill. It was packed. The room was just
2 swarming with Hill staffers who were clamoring for
3 information about the transition.

4 CEA has a Connections Guide. And this is for
5 TVs, for audio, for pretty much any device that you
6 have. You can go to this Connections Guide -- I've
7 used it before, I'm not super technically savvy, and
8 this was a huge help for me -- but it will tell you --
9 you click in what kind of device you have, and you can
10 figure out how to hook it up. So, if you were to get
11 -- actually, the converter box is also on this, as
12 well, but any other device related to the transition.

13 CEKKnowHow is a retailer module that we have.
14 We've updated that with information about the coupon
15 program, and it's for retail staff. And I don't have
16 the statistics for how many retailers have -- retail
17 salespeople have actually used it. I -- it's in the
18 thousands. And, actually, I've done the modules, as
19 well, and it's a very good way to have a second career,
20 if this doesn't all work out.

21 [Laughter.]

22 MS. KEARNEY: People have been very concerned

1 about what to do with sets that are not going to make
2 the cut when the transition happens. Meaning, if you
3 get another set or you have that 50-year-old set that
4 you want to put out on the curb, that there's going to
5 be a huge problem in the landfills. CEA created
6 MyGreenElectronics.org, and you go in, and you type
7 your ZIP Code, and you can figure out where to take
8 that television to -- or other -- actually, any
9 electronics device, and recycle it.

10 And I'm actually very pleased to announce
11 that our consumer electronics show in Las Vegas is
12 going to be carbon-neutral in 2008, so we're very keen
13 on saving the environment.

14 We have a digital answer man. He may meet up
15 with the NAB Trekker, at some point, but he is take --
16 going to 75 cities in 52 weeks, and he -- you may see
17 him -- I've seen him when I've been traveling around,
18 where he is in studies, television studies locally,
19 talking about the DTV transition and other -- and other
20 things, too. And he's a lot of fun.

21 Finally, our DTV transition video is a 9-
22 minute video, talking about what consumers may need to

1 do when the transition happens. And this video, thanks
2 to the work that we've done with Karen and Rosaline and
3 colleagues, is in the final touches, getting the closed
4 captioning included. And we also will be doing a
5 Spanish version. We have not done a wide release of
6 the video, because we're waiting to get those details
7 polished, but it should be done within the next couple
8 weeks. But this video is available widely. It'll be
9 on our Web site. I would be happy to share it with
10 you. We're sharing it with broadcasters, satellite,
11 cable, telcos, basically anyone who wants it, to use
12 for spots at trade shows or as their air time permits.

13 One more thing. I encourage all of you -- I
14 was scouting around everybody's Web sites over here,
15 and noticing that not a lot of folks have links to the
16 transition on their Web sites. And I make a plea, Ken,
17 to you and others, to include links on your Web sites
18 about the transition, even if it's links to the DTV
19 Transition Coalition or to any -- or DTV.gov, of
20 course, or to any other organizations, because I think
21 we are such -- here, such activists and such good
22 mouthpieces for getting the word out, and I think it's

1 all our responsibility to do that.

2 CEA, again, we are always interested in
3 providing materials to you if you want it, either by
4 going to our Web site or print materials. I offer that
5 to you. And I also offer to have you call me or e-mail
6 me with any concerns you may have.

7 Thank you.

8 CHAIR BERLYN: Thank you, Julie.

9 [Applause.]

10 CHAIR BERLYN: That's a really great point to
11 -- for all of us to start linking to all of these other
12 resources, as well. Good point.

13 Karen, do you have a question for Julie?

14 MS. STRAUSS: First of all, Julie --

15 MS. KEARNEY: Hi.

16 MS. STRAUSS: Hi. We want to thank you, from
17 the community of people who are deaf and heard of
18 hearing and are blind or visually disabled,
19 tremendously, for your responsiveness. You've been
20 terrific. You and your -- the other manufacturers that
21 you've been working with have really been
22 extraordinarily responsive to our needs. It's

1 remarkable that -- the fast turnaround.

2 MS. KEARNEY: Thank you.

3 MS. STRAUSS: I'm actually going to raise
4 something that doesn't have to do with disabilities. I
5 actually --

6 MS. KEARNEY: Sure.

7 MS. STRAUSS: -- raised it at the -- I guess,
8 the September 25th FCC forum. And that has to do with
9 what's going to happen with all the old television
10 sets.

11 MS. KEARNEY: Right.

12 MS. STRAUSS: You mentioned
13 MyGreenElectronics, which is terrific. But will those
14 -- I mean, these are perfectly good sets, and there are
15 many locations, especially residential institutions,
16 nursing homes, et cetera, where they have cable and/or
17 --

18 MS. KEARNEY: Right.

19 MS. STRAUSS: -- satellite. Is there going
20 to be some kind of effort to recycle these in some way,
21 get them into locations where they are -- they can be
22 reused rather than destroyed?

1 MS. KEARNEY: Right. Well, the FCC rules,
2 because we represent manufacturers of new equipment,
3 the FCC rules require that no set may be shipped in
4 interstate commerce that does not have a digital tuner
5 in it. So, in terms of CEA, I can't commit for CEA
6 actually taking any role in distributing a set without
7 a digital tuner. I think it's a great idea. I think
8 --

9 MS. STRAUSS: I mean, is that something that
10 you think that this committee could address through,
11 perhaps, an exception to the rules for old analog, used
12 televisions?

13 MS. KEARNEY: Well, I think the question
14 would be, Where -- would a recycler then take the sets
15 and get them out to these constituencies. I'm --

16 MS. STRAUSS: I mean, I don't know --

17 MS. KEARNEY: Yeah.

18 MS. STRAUSS: -- the logistics, myself, but
19 --

20 MS. KEARNEY: Yeah.

21 MS. STRAUSS: -- you know, it's not only --
22 not only for institutions, but also low-income areas,

1 tribal areas. I mean -- well, I don't know whether
2 they would have cable. But there are probably a lot of
3 people out there that are very low income and still
4 getting cable, but purchasing the actual television set
5 is a burden. And --

6 MS. KEARNEY: Right.

7 MS. STRAUSS: -- so, I just -- I -- this is
8 something that I don't think should be forgotten. I --

9 MS. KEARNEY: Right.

10 MS. STRAUSS: It would be a shame to --

11 MS. KEARNEY: I --

12 MS. STRAUSS: -- have all those television
13 sets destroyed.

14 MS. KEARNEY: I think it's a very interesting
15 idea. I think, for CEA's commitment to the transition,
16 we are making sure that converter boxes are available.
17 We're working with NTIA, the Commission. We're making
18 sure that a set does not have to go to the curb, that
19 it can stay within the house. I know, in my house, we
20 have a TV going from room to room. When something new
21 comes in, it just kind of gets shuttled to --

22 [Laughter.]

1 MS. KEARNEY: You know, my husband has three
2 sets for gaming now. He's --

3 MS. STRAUSS: Right.

4 MS. KEARNEY: -- happy. But I think our
5 commitment is to make sure that the sets have the
6 tuners in them, that we're complying with the FCC
7 rules, that the converter boxes are available, that the
8 information is out there. I wouldn't even dream of
9 committing on behalf of CEA, but, sort of, the personal
10 tree-hugger in me, I think it's a very, very
11 interesting idea.

12 Thank you.

13 MS. TRISTANI: Did you say -- and I don't
14 know, so I'm not -- that the FCC rules prohibit
15 shipping --

16 MS. KEARNEY: New devices.

17 MS. TRISTANI: New devices, but not all
18 devices.

19 MS. KEARNEY: Yeah. But I --

20 MS. TRISTANI: Okay. I just wanted to --

21 MS. KEARNEY: I mean, I think the FCC would
22 want my -- my members will come and, like, take me into

1 a dark alley, but -- if I talk any further on this.

2 But I think you understand. If the FCC were to make
3 some commitment to -- or AARP --

4 CHAIR BERLYN: It doesn't sound like a CEA
5 activity, actually. It --

6 MS. KEARNEY: Right. No --

7 CHAIR BERLYN: -- but it's a wonderful idea.

8 MS. KEARNEY: I think it's a very interesting
9 idea --

10 CHAIR BERLYN: -- we might want to --

11 MS. KEARNEY: I do.

12 CHAIR BERLYN: -- explore.

13 Jim?

14 MR. CLINTON: I guess this antenna thing --
15 can everybody hear me? This antenna thing has started
16 to trouble me a little. And Jeff seemed to have a
17 somewhat more pessimistic view of this than you. And I
18 don't know the answer.

19 MS. KEARNEY: Right.

20 MR. CLINTON: But, to whatever extent it --
21 that is true, it concerns me that -- and this doesn't
22 just apply to CEA, you just happened to be up there

1 when it -- when it came up.

2 MS. KEARNEY: Oh, good. Lucky me.

3 MR. CLINTON: But none of these three things
4 say a word about what --

5 MS. KEARNEY: Well --

6 MR. CLINTON: -- happens if your antenna --

7 MS. KEARNEY: Right.

8 MR. CLINTON: -- doesn't work.

9 MS. KEARNEY: Well, the --

10 MR. CLINTON: And --

11 MS. KEARNEY: Sorry.

12 MR. CLINTON: -- I guess my point is that,
13 going forward -- you know, if -- my guess is that the
14 people that you described who are in a fringe reception
15 area with rabbit ears also won't get to your Web site.
16 So --

17 MS. KEARNEY: I -- yeah. Our --

18 MR. CLINTON: So, I'd just like to --

19 MS. KEARNEY: Yeah.

20 MR. CLINTON: -- see all of us thinking about
21 getting some of that information. First of all, we
22 need a good answer. How big a problem is the antenna?

1 And are we often looking at --

2 MS. KEARNEY: Can I -- can I add -- people in
3 the fringe areas at the edge of a signal often have
4 satellite. But I would add West Virginia, 97 percent
5 satellite penetration. But I'm not going to get into
6 those issues here. NTIA did not make the antenna a
7 required feature, because there was a belief, and based
8 on engineering, that most people should not need an
9 additional antenna.

10 MR. CLINTON: All I'm saying is that a simple
11 quick-start guide that doesn't mention that you may
12 have no signal at all, and doesn't tell you what to do
13 if you have no signal at all, is just missing a couple
14 of lines of text that would help a lot to --

15 MS. KEARNEY: Okay.

16 MR. CLINTON: -- to address the --

17 MS. KEARNEY: You're welcome --

18 MR. CLINTON: -- problem.

19 MS. KEARNEY: -- to e-mail that to me. I'd
20 be happy to convey that.

21 CHAIR BERLYN: You know, I really -- Marc
22 Pearl has been sitting in the back of the room for 2

1 and a half hours, so I want to get him up here. I'm
2 going to -- please ask quick questions that you think
3 only Julie can answer. So, thank you.

4 MS. SCHACTER: Well, actually, it's not just
5 for Julie, it's just a -- sorry -- it's an -- I didn't
6 say it was going to be just for Julie.

7 CHAIR BERLYN: Okay. Okay.

8 MS. SCHACTER: It's a general question that
9 keeps coming up from each of the different speakers, in
10 that the -- Commissioner Copps raised -- or
11 Commissioner Adelstein -- about people going into
12 people's homes. Is there any program with any of the
13 different organizations that, if someone still -- I
14 mean, I thought the guide that you developed was very
15 clear, with the wires --

16 MS. KEARNEY: Thank you.

17 MS. SCHACTER: -- but if, let's say, somebody
18 is still not able to do it, or is technical-phobic --

19 MS. KEARNEY: Right. They're --

20 MS. SCHACTER: -- and people -- an older
21 adult -- is there somebody who can come to their house
22 and do this --

1 MS. KEARNEY: Well --

2 MS. SCHACTER: -- like the way they're doing
3 this in England?

4 MS. KEARNEY: Right. There are a couple of
5 things. And, actually, I -- Tony may want to circle
6 back with the group. LG Electronics has just hired 200
7 additional customer service people, multilingual, to
8 guide people through the process. LG is making one of
9 the converter --

10 MS. SCHACTER: Yeah, but I mean coming into
11 the physical home.

12 CHAIR BERLYN: Janice, we could perhaps talk
13 about that.

14 MS. KEARNEY: Yeah.

15 CHAIR BERLYN: I actually don't think that
16 Julie is going to have that specific information, and
17 there may be some of us in the room that can address
18 that in the DTV working group discussion.

19 I know that AARP is working with local
20 community organizations that can go into the --

21 MS. KEARNEY: Right.

22 CHAIR BERLYN: -- home, and we're starting to

1 explore all of those opportunities of services that are
2 already in existence in the community that go into the
3 home, and perhaps how we can connect and work with
4 those organizations to help some who cannot make this
5 happen in their own home.

6 MS. KEARNEY: And there are groups that we
7 can talk about that have come forward that have offered
8 that type of assistance. I know Tony Wilhelm has
9 talked to one of the large groups. It used to be the
10 Future Homemakers group, but now it's the something
11 Economic --

12 MR. WILHELM: FCCLA.

13 MS. KEARNEY: FCCLA.

14 CHAIR BERLYN: Work with high school students

15 --

16 MS. KEARNEY: High school students --

17 CHAIR BERLYN: -- around the country to --

18 MS. KEARNEY: -- as community service.

19 MS. SCHACTER: I would just like to make sure

20 --

21 MS. KEARNEY: Yeah.

22 MS. SCHACTER: -- that this is part of the

1 comprehensive program, because, realistically, there
2 are going to still be people that are not going to be
3 able to do it themselves --

4 CHAIR BERLYN: It's a really --

5 MS. SCHACTER: -- and you need to --

6 CHAIR BERLYN: -- good point.

7 MS. SCHACTER: -- walk them through. They're
8 going to need someone coming in the home. And,
9 obviously, if it's needed in the U.K., we can assume
10 it's needed here.

11 CHAIR BERLYN: It's a very good point,
12 Janice. And, unfortunately, no one has provided any
13 resources and funding for that last part of the
14 transition.

15 MS. SCHACTER: But then we need to make a
16 recommendation regarding that during -- from this
17 group, which is the whole point of the group. Because
18 if somebody's going door to door to someone's home, why
19 can't that happen in the United States? I mean, that
20 doesn't make any sense. And there are going to be a
21 significant number of people, who, no matter how clear
22 you write the guide, are going to say, "Oh, my God, TV,

1 you know, what -- I can't do this. And how" --

2 CHAIR BERLYN: I think it's an --

3 MS. SCHACTER: -- "do you deal with that?"

4 CHAIR BERLYN: -- excellent point. And in --
5 others have mentioned, you know, resources -- available
6 resources to help on the grassroots. It's an excellent
7 point.

8 I think we need to put that forward in our
9 DTV working group and make that a primary issue of
10 discussion. I think it's a very good point.

11 Julie, thank you for sharing.

12 Marc Pearl?

13 [Applause.]

14 CHAIR BERLYN: Thank you, Julie.

15 MR. PEARL: Can I get some help here?

16 Because I don't know what --

17 CHAIR BERLYN: Do you have something to hook
18 up, there, Marc?

19 MR. PEARL: I have a PowerPoint that's on
20 here, but I have no idea how this particular computer
21 either opens or works.

22 CHAIR BERLYN: Do we have technical

1 assistance in the room?

2 MR. PEARL: Is there someone in the booth who
3 can help?

4 CHAIR BERLYN: Are you all set?

5 MR. PEARL: I don't know yet.

6 CHAIR BERLYN: While Marc is trying to get
7 set up here, let me introduce him. He's the executive
8 director of Consumer Electronic Retailers Coalition,
9 CERC. CERC is a public policy alliance of leading
10 consumer electronics and general retailers and
11 principal trade associations. Members include
12 Amazon.com, Best Buy, Circuit City, Radio Shack, Sears,
13 Target, Wal-Mart. So, as you can see, these are
14 probably going to be some of the primary retailers that
15 will be involved in selling the converter box.

16 Marc, we're really happy to have you here
17 today. Thank you for coming.

18 MR. PEARL: It's good to be here. Not that I
19 had a full head of hair before the morning started, but
20 --

21 [Laughter.]

22 MR. PEARL: I am reminded as -- that I'm the

1 -- I'm the person keeping you from lunch. I'm the 47th
2 speaker of the day.

3 [Laughter.]

4 MR. PEARL: I'm -- and I am reminded of a
5 story, if -- and I hope that you take this in the right
6 -- in the spirit in which it's offered, that, you know,
7 I feel like Elizabeth Taylor's next husband.

8 [Laughter.]

9 MR. PEARL: I know what to do, I just hope I
10 can make it interesting.

11 [Laughter.]

12 MR. PEARL: Thank you.

13 The retailers -- oh, it just went off -- the
14 retailers are the face between the broadcasters. CERC,
15 the Consumer Electronic Retailers Coalition, is, in
16 many ways, the teacher of teachers. Though I am
17 fielding more and more phone calls from people every
18 day who got -- went to our Web site, found out the
19 information. We do have, as we passed out, the
20 Consumer Guide that we've gone through a number of
21 iterations, both in English and in Spanish. And we
22 have the right translation. In fact, I told -- I had

1 told NTIA of the right translation, months and months
2 and months ago, because we had worked on this. But we
3 do, in fact, have -- reached out, through our retailers
4 and directly to the consumers, as much information
5 about the overall DTV transition, because -- and that's
6 something that I want to -- that came through this
7 morning that I do want to point out. There is the
8 overall DTV transition. That is under the auspices, in
9 many respects, of the FCC. The converter box program
10 specifically, for whatever reasons Congress made its
11 decision, put that into the NTIA. And so, as much as
12 all of us would rather see one entity, kind of, do it,
13 there are two different things going on. And they both
14 involve two important aspects. The DTV transition, as
15 I testified before the Senate Commerce Committee a
16 couple of weeks ago, is about two things. One is about
17 technology, and the other one is about content. And we
18 need to, in essence, take advantage of the fact that
19 both of those things provide some incredible
20 opportunities, as well as, as we've talked about all
21 morning, incredible challenges.

22 And so, in essence, it's going to be put on

1 the retailers by Congress, by the -- by the various
2 entities, that in -- you know, it would have been --
3 would it have been easier, as one of our CEOs testified
4 when this was all being developed, should Congress just
5 buy a bunch of the converter boxes and put 'em in the
6 post office and let people get 'em, and then keep us
7 away from it because -- the margins are low, the --
8 it's very complicated? That's not the way they did it.
9 And so, we're trying, as retailers, to, as best we can,
10 figure out about something, a product that has a short
11 shelf life, about a few months, 15, 16, 17 months, that
12 has a very small profit margin at all, if any, and, in
13 fact, we have no idea what the demand is. There is the
14 demand Barton talks about, which -- I think that he was
15 a little off -- former chairman of the Commerce
16 Committee, Barton, said, the other day, 8 million would
17 be demanded. That's ridiculous. But it may, in fact,
18 be much lower than the 33 million of which there are
19 enough coupons.

20 We also heard, through focus groups early on,
21 that there are a number of people who will never use a
22 government coupon, or never use a government handout.

1 They will pay the \$65 for that box, because they don't
2 feel that they want government to pay for anything for
3 them. There are a number of people who have four,
4 five, or six, or ten televisions. They have a vacation
5 home. And it's all over-the-air. They're -- they may
6 ask their neighbors to get coupons for them, as I'll
7 talk about in a couple of minutes, or they may just
8 say, "I'll use two coupons, and I'll buy six at
9 retail." We have no clue where the demand's going to
10 be geographically and how much the demand is going to
11 be. And that puts all of us -- this council, the
12 agencies, Congress, and certainly the retailers, if not
13 the manufacturers that Julie represents, in terms of,
14 How many boxes do you make? When do you make them?
15 How -- you know, they're not being made in Oshkosh,
16 Wisconsin, they're being made in many parts of
17 overseas. There's going to be a time lag. So, in
18 essence, just handing out the coupon and saying, "Radio
19 Shack'll have 'em" is a strong, long period of time
20 that we all have to work cooperatively together. It's
21 not just about message, which is what this council --
22 committee is about. But it's also about the real

1 aspect of production -- design production, getting it
2 in through inventory, making sure the coupons work,
3 making sure that there's no fraud, which I also want to
4 get into, and making sure that, in fact, the people who
5 need these boxes -- let's not -- we'll talk about
6 upselling -- what about downselling? What about a
7 person who brings a coupon in and says, "I want a box"?
8 Shouldn't someone say, "Do you have cable? Do you have
9 satellite? Maybe you don't need the box." And those
10 are important aspects of a relationship that should
11 exist. Retailers, as I've said, are the bridge to
12 those households, and we have to answer all of those
13 questions as we move forward.

14 You probably know a lot about this, and --
15 but it's important to know. This goes into, How do you
16 receive the signal in the first place? The antenna
17 thing is something that we've been talking about with
18 people for a while. There are peaks and valleys. I've
19 talked to retailers who, in -- like, in Iowa, where
20 some people in the valley don't get the signal at all,
21 not even a snowy one. And, in point of fact, we have
22 to work better with the CEA -- might -- the antenna Web

1 site. We have to work better with the FCC. There are
2 some signals that are going to be broader -- and the
3 broadcasters, obviously -- because people need to know
4 where the signals are going to be, how they're going to
5 be received. Will the rabbit ears work? Do they have
6 to get a different set of antennas? -- all of those
7 things. But, you know, in essence, let's -- this is
8 not about fingerpointing, but it's about information,
9 it's about getting that information out. And we want
10 to make sure.

11 So, if you purchased a new TV in the past few
12 months, it will have an ATC -- probably an ATSC digital
13 tuner. Julie talked about it. Three years ago, TVs
14 over 36 inches could not be shipped without a digital
15 tuner. Two years ago, if they were bigger than 26
16 inches. This year, in March, no television could be
17 shipped new from a manufacturer to a retailer if it was
18 at any size, 20 inches, 13 inches, or whatever, if it
19 didn't have a -- at least the digital tuner, and
20 probably a dual tuner, has both the digital, as well as
21 the analog. You subscribe to a pay-TV service, you get
22 the signal; or you purchase a DTV converter box. And

1 that is one that has basic features. The \$40 coupon is
2 only for a basic box, like you see on that television
3 right now. If you want video recording, if you want
4 other enhancements, you can get that, and you can buy
5 it, and you can possibly get some now for over \$100,
6 but it might have recording capabilities, et cetera,
7 but the \$40 coupon will not be good for those kinds of
8 boxes. We need to, as retailers, as community groups,
9 as messaging, get that kind of information out, that
10 you have a lot of choices.

11 Now, I don't have to go into who's most
12 affected. You know that. I think key dates are
13 important, and I'll just briefly go into that.

14 March 1, I talked about, was the tuner
15 mandate. Every manufacturer is -- cannot ship anything
16 that doesn't have -- a TV receiver that doesn't have
17 one that has a digital tuner on it.

18 May 25th, as I think Cathy Seidel talked
19 about this morning, was when the FCC put out
20 regulations about labeling. And even though the FCC
21 does not have jurisdiction over retailers, we complied,
22 and we, in fact, urged and worked with the FCC, as you

1 saw on one of the tip sheets that we distributed, that
2 we did with the FCC and the CEA -- we have been trying
3 to get that information out.

4 August 15th, as Tony Wilhelm talked about,
5 that's when IBM received the contract for the program.
6 But I'd -- also want to point out the holiday season.
7 The boxes aren't in the shelves now, and sales
8 associates who are seasonal sales associates, who are
9 only there for this year, don't have any idea what this
10 box program is all about. They need to be told, and
11 they are being told through our -- through the main
12 headquarters, what the transition is about, but there
13 is no box on the shelves for them to sell. And so,
14 during the holiday season, both in terms of information
15 that people are coming in to ask about in the real
16 world, as well as the fact that to change our point-of-
17 sale systems to accept this government coupon in
18 addition to your Visa card or your cash or your gift
19 card that you got, is going to be something that takes
20 a lot of -- that's the central nervous system of the
21 retailers. You can't touch it during the holiday
22 season. And you can all well imagine why. This is

1 probably 30 to 40 percent of the net sales and revenue
2 of -- of the consumer electronic retail is during the
3 holiday season. You ain't gonna touch their system.
4 Which is why there is a delay, which is why there was
5 allowance in the contract for the first boxes to be
6 shipped out no later than April 1st, which is why
7 retailers don't even have to sign up for the program
8 until March 31st of next year. They don't -- they're
9 -- that is allowing for that.

10 So, in January, everybody goes live. You can
11 get applications. We are -- our members have committed
12 to having applications in their stores, but people may
13 not want to go to the store, they may want to get it,
14 hopefully, at a library, maybe at a bank, maybe at the
15 V.A., maybe online, maybe through their community
16 newspapers, maybe through your organizations' Web sites
17 and newsletters that you send out, hopefully that you
18 will get these news -- these things, hard line, hard
19 copy, into people's hands so that they can fill out the
20 application.

21 Now, do they need the coupon sent back to
22 them in 3 days? Well, for those of you who may have

1 ever applied for an IRS refund on April 15th --

2 [Laughter.]

3 MR. PEARL: -- I don't think all of you
4 expect that the government's going to send you back
5 your check on April 18th. The fact is, is that we do
6 hope that NTIA will hold on to these coupons, do an
7 evaluation of where the ZIP Code are, do an evaluation
8 of where things -- where the need is going to be so
9 that a couple of things can happen. One, that our
10 retailers can get in touch with their manufacturers,
11 their vendors. And there have been about, I think,
12 two, thus far. LG has two models, the -- company
13 called Digital Stream. We're anticipating RCA
14 Thompson, which has put an application, Samsung has
15 announced that they want to make it, and there are
16 going to be multiple box manufacturers. But they can't
17 make 10 million boxes in 2 weeks, if 10 million
18 applications came in. And we can't get, in our stores
19 through our distribution centers, a box from El
20 Segundo, California, to, you know, Portland, Maine, in
21 a matter of 3 days. So, we do have to have a
22 cooperative communication network going, and those are

1 the kinds of discussions that are taking place between
2 the manufacturers, the NTIA and their subcontractors,
3 and retailers who are in -- showing interest in wanting
4 to participate in the program so that they can then
5 say, "You know," Best Buy says, "We have about 20
6 percent of the market," let's say, "and, therefore,
7 we're now told that a million coupons have been
8 requested for the Northeast." So, maybe, possibly, 20
9 percent of whatever the sales are going to be, are
10 going to be needed in Best Buy stores in the Northeast.

11 We're not asking for personal identifiable
12 information. And I'll get to Janice's points about
13 home-to-home, which does present some problems about
14 how much information you get and how much you share,
15 because there are going to be snake-oil salesmen out
16 there, there are going to be snake-oil retailers out
17 there, who are going to knock on doors and say, "Let me
18 help you fill out an application. You get the
19 application, call me up, give me your coupon, I'll sell
20 you that box -- it normally sells for \$120 -- for \$40
21 off, and I'll install it for you." Now, in the end,
22 the person gets an installed box, but they also paid

1 about \$100 more than what they would have had to pay.
2 We need to get information out to people, everybody,
3 that what this general retail price is going to be, the
4 manufacturer's suggested retail price, in that range,
5 and we have to make sure that -- only use -- NTIA tells
6 us the list of registered retailers that each person
7 who applies for the coupon and gets it will have a
8 list. "Do not buy from -- just because Marc Pearl
9 knocks on your door and says he'll install it for you,
10 and take your \$40. You need go to" -- that's part of
11 the message that I think this committee has to really
12 hold on to, that people need accurate information.

13 So, the other dates on here are important.
14 February 17th, as you know, is the last date. March
15 31st, you can continue to apply for a coupon until 6
16 weeks after the televisions essentially go dark. You
17 can still apply. And then, those coupons won't expire,
18 because they're a 90-day expiration, until July 10th.
19 On July 11th, I don't know what's going to happen to
20 these converter boxes. Are we going to have a big
21 throw into the sea? Are we going to send 'em up to
22 Canada? I have no idea what -- in terms of what's

1 left. But that's the last day.

2 You know about the 1.5 billion. There was
3 enough money for about 33 million boxes. We have no
4 idea how many are going to be needed. What the
5 estimates are, in terms of 100-percent over-the-air,
6 OTA, households, about 20 million households. And
7 there are less each year, in terms of -- if you look at
8 CEA's numbers, in terms of who's buying televisions
9 year to year to year and month to month, that number
10 is, in fact, going down, in terms of the number of
11 households that are 100-percent -- that are OTA and do
12 not have a digital tuner. Because the point is, even
13 if you're 100-percent OTA and you have a television
14 that has the digital tuner on it, you know, you're, in
15 essence, working off of it now, and it will work. And
16 it's important to know.

17 I think I want to go -- I do want to go into
18 a little bit, in terms of the impact. This is a
19 voluntary program, and the more that -- and I read this
20 in your comments, and it really gave me pause, and I
21 want to be honest with you -- the more that there is
22 government regulation and sanctions over retailers

1 about what they can and cannot do, the more difficult
2 it is for them to want to participate in a program that
3 is voluntary. I'm just -- I'm trying to be straight
4 with this committee. If you put sanctions on folks
5 that are voluntarily taking part in a program which has
6 a -- "We're not sure if we're going to participate. We
7 don't know what -- how -- what the demand's going to
8 be. We don't know what the margins are going to be."
9 But if we don't do it quite right, if the one salesman
10 says, "The" -- you know, puts a comma in the wrong
11 place, then you're going to get a fine. Then you -- I
12 don't have to finish the sentence, in terms of a
13 voluntary program. We need to work cooperatively. And
14 retailers and CERC, working with CEA and the other
15 members of the DTV Transition Coalition, have been
16 working feverishly -- as a founding member of this
17 group, we have been working feverishly to make sure
18 that the messages are clear, the messages are out
19 there, and that the retailers are not part of the
20 problem, but are part of the solution. And we just
21 want you to know that.

22 All of these other issues on the bullets that

1 I talk about, in terms of hard-to-predict demand, the
2 program does allow for in-store, on-phone, or online.
3 And we are working on that. While Best Buy had
4 testified this week and said that they can't do online
5 for this program, they are going to do over-the-phone.
6 They are going to have voice -- not a recorded voice,
7 but -- not someone who -- but someone who's going to
8 ask the hard questions. Qualified retailers.
9 Qualified retailers. We've heard -- you know, will the
10 Mobil station that sells a Walkman be able to be a
11 qualified retailer? And would you ask that person for
12 help in installing, Janice, your converter box? I
13 don't know. I doubt it. But we do want to make sure
14 that the people that really know, have been selling
15 these kinds of products for years, are the people that
16 are providing the products for the consumers. And
17 we're going through major training of our employees now
18 about the DTV transition, and, beginning in January,
19 about the box program.

20 Now, it's important to note that the
21 retailers don't have to check for eligibility. If Dan
22 walks into a consumer electronic retailer store with

1 five coupons, he can buy five boxes. And nobody's
2 going to say, "Where did you get the" -- as long as
3 they're valid coupons, they're valid coupons. You may
4 be a caretaker, you may be buying it for patients in a
5 home. You may be buying it for your in-laws and for
6 your parents. Nobody's going to question, as long as
7 it's a valid coupon. And so, we were able to at least
8 convince NTIA that, in point of fact, people can use
9 more coupons, or can, in fact, come in multiple times.
10 And that's important.

11 This is an important point that I think some
12 people have alluded to this morning, but I do want to
13 talk about. We need collaborative efforts across the
14 board. This is not on the shoulder just of the FCC or
15 just of the NTIA or just of the retailers or the
16 manufacturers or the broadcasters. Everyone has to be
17 involved. We've been trying to reach out to the
18 National Governors Association, to the State
19 legislators, to the -- to the Conference of Mayors.
20 They have -- their constituents are going to be asking
21 questions. Point-of-contact agencies, the VAs, HHS,
22 INS, the post office, those groups have to become

1 involved, as well, at various stages, maybe as just
2 application points, or maybe for other points of
3 interest, as well.

4 The private sector, I think, has shown --
5 demonstrated quite vividly over the last couple of
6 hours what our commitment to -- whether it's because we
7 want to make sure that there's eyeballs, want to -- on
8 the set -- whether we want to make sure that the people
9 buy the right products. For whatever reasons, the
10 private sector is committed to making this work. We,
11 then, need the third leg of the stool, and that's
12 community interest groups. And it's beyond just the
13 folks that are represented around this table. It is,
14 in fact, What is the appropriate role of religious
15 institutions, of community centers, of libraries? In
16 essence, where people go and feel, in essence, in a
17 neutral environment, that they're not being sold a bill
18 of goods, or being sold something, where can they go to
19 get this information, and how can we get them? I would
20 contend that this committee needs to reach out beyond
21 the four walls of this table and go beyond, to identify
22 community interest groups that should be involved.

1 It's been very difficult, I must tell you, as a
2 founding member and as a steering committee member of
3 the DTV transition, to get folks involved, from
4 religious institutions and from, in essence, community
5 center groups, to take -- put this on their agenda, to
6 make it -- I'm not -- it's not -- never going to be won
7 with a bullet, but to get it up there so that they
8 understand that their constituencies need to know what
9 this transition is about. And that's what I would
10 contend this group is about.

11 I did want to give you, specifically, in
12 consumer education, because that's the purpose of this
13 group, what the retailers' role is. The -- obviously,
14 the remaining analog products are labeled. Best Buy
15 has recently announced that all analog products have
16 been taken off shelves as of October 1st. You cannot
17 go into a Best Buy and buy anything that is -- quotes,
18 "needs that FCC label." They announced that. And
19 others are dwindling their shelves. But, just because
20 they are there doesn't make them illegal. If you have
21 cable, and you can get a great deal on a new television
22 for your kitchen that's hooked up, why wouldn't you get

1 an analog television for under \$100 for your kitchen
2 set? It will still work, at least through 2012.

3 So, it's -- you know, the fact is, is that
4 the product is not illegal, but we do need to, in
5 essence -- and that's -- we agreed with that -- make
6 sure that the consumer knew what was going on. Many of
7 the retailers are passing out pamphlets. Mike Vitelli,
8 from Best Buy, showed, at the hearing this week, that
9 there are pamphlets that you can get, if you go to any
10 Best Buy, right there, right near the displays, on what
11 the DTV transition is about. Video loops are going on
12 all the time now. The CEA loop is being -- going to be
13 sent out. I've been working with them to get it out to
14 some of our general retailers so that people can see
15 more and see what's going on. We can answer the
16 questions about TVs previously sold, answer about their
17 choices and options, that I talked about, answer their
18 questions about the program, the CECB program, whether
19 or not the household is eligible, what the application
20 process is going to be, which boxes are eligible, et
21 cetera. We want to meet customer needs, whether it's
22 through a converter box, a new television, or through a

1 subscriber service. It is not in the interest of a
2 consumer electronics retailer to sell a product to a
3 customer that they don't need and they don't want. If
4 someone walks in with a \$40 coupon to spend \$20 on a
5 converter box, and brings home an HDTV that they just
6 spent \$1,000 on, I don't think the spouse is going to
7 be very happy. Okay? "Oh, I had to buy this. I just
8 got it." Now you bring back a new HDTV, opened box.
9 That can't be sold for \$1,000 anymore. Everybody loses
10 under those circumstances. It's not in the interest of
11 the retailer to sell something that they don't want.
12 But it is in the interest of the retailer to ask
13 questions, "Do -- should -- do you need the box? Do
14 you have cable? Do you want to tape? Do you want
15 taping capabilities? Do you want to watch -- how old
16 is your TV?" "It's 30 years old." "Well, do you need
17 a Band-Aid, or do you want to spend?" You can get,
18 now, a 20-inch DTV for under \$150. And it works. And
19 it will work. So, those are the kinds of questions
20 that have always gone on, whether -- in whatever
21 consumer environment, retail environment that you're
22 on. We want those kinds of relationships to still

1 exist.

2 Our Web site is there. We hope that you'll
3 be there. We are for people that do have it. But we
4 will make these kinds of products available as hard
5 copy, as I passed out today. The FCCLA, the Future
6 Homemakers, Future Farmers of America, just announced
7 that -- a grant program with Best Buy. They're going
8 to be training these folks to answer Janice's question.
9 We have been working with retailers to say, "Go and
10 talk to your church groups, your Kiwanis groups. See
11 if you can train them. See if they'll go out and help
12 people, not only fill -- to plug in the box, but to
13 even just fill out the application." I mean, some
14 people may not know what they have to do to fill out
15 the application. The problem with that is, some people
16 don't want people in their homes, they don't like
17 people coming into their homes. We may be a little bit
18 different than Britain in that respect. We have to
19 make sure that people feel comfortable. So, if it's a
20 church group, as opposed to somebody that -- a stranger
21 that they don't know, we're encouraging retailers to
22 develop those kinds of relationships. And if you want

1 to pay for that setup, then, in point of fact, you can
2 ask the Geek Squads or the Fire Dogs or the people that
3 do the -- those things to, in essence, help set it up
4 for you. And, as you'll see, as the guide shows, that
5 CEA has done and each manufacturer will do, it is
6 relatively simple, but when my parents were alive, I
7 don't think that they would have been able to figure it
8 out. No question about it. My mother didn't even use
9 an ATM for years, because she didn't want to do that.
10 So, the fact is, is that we do have to figure out what
11 that bridge is. I think it's volunteers. I think it's
12 volunteers, in a strong way. And it's also active
13 participation.

14 So, that's my, kind of, overview of what's
15 going on. I hope I've kept you somewhat interested,
16 you know, in what's happening, before lunch. And I'll
17 take whatever questions that you have.

18 CHAIR BERLYN: Thank you. Shirley has a
19 question.

20 MS. ROOKER: First off, I would like to make
21 the comment that you were definitely worth waiting for.

22 [Laughter.]

1 MR. PEARL: Thank you.

2 MS. ROOKER: Secondly, I would like to say
3 that I'm very excited that you mentioned fraud, because
4 I head up a consumer group that has about 1,000
5 volunteers who work on all kinds of issues at radio and
6 television stations around the country, and I can see
7 that there is lots of opportunities for fraud involved
8 with this program.

9 And, thirdly, the question, Can we get copies
10 of your slides? I thought your presentation of
11 timelines were really excellent.

12 MR. PEARL: It's yours.

13 CHAIR BERLYN: That was very helpful.

14 MR. PEARL: It's on this computer. It's
15 yours. I -- you give me your card, I'll send it to
16 you.

17 MS. ROOKER: Okay.

18 MR. PEARL: We really just want to get as
19 much information as we can --

20 MS. ROOKER: Okay. And I also -- I will talk
21 to you about something else later.

22 MR. PEARL: Okay.

1 MS. ROOKER: But thank you --

2 MR. PEARL: Thank you.

3 MS. ROOKER: -- so much. That was --

4 MR. PEARL: Well, thank you.

5 MS. ROOKER: -- excellent.

6 MR. PEARL: I very much appreciate it.

7 CHAIR BERLYN: Yeah, Marc --

8 MR. PEARL: As some people have said before,

9 that was an excellent question. No.

10 [Laughter.]

11 CHAIR BERLYN: Marc, we'll -- if you send it

12 to --

13 MR. PEARL: I did send -- you already have

14 it, don't you?

15 MR. MARSHALL: With your permission, I can

16 distribute it to all of the committee members.

17 MR. PEARL: You have my permission.

18 CHAIR BERLYN: Let's just do that.

19 MS. ROOKER: Great. Wonderful.

20 CHAIR BERLYN: Okay, good.

21 Janice?

22 MS. SCHACTER: Well, I appreciate the effort

1 of training local church groups and Kiwanis groups. My
2 concern is -- I mean, I can say, personally, I feel
3 more comfortable with a, quote, "legitimate" person
4 coming into my home, who's fiddling with my TV,
5 especially if you are a single person.

6 MR. PEARL: Absolutely.

7 MS. SCHACTER: Then somebody who is the local
8 person -- and God only knows what they do to my
9 electronics. So, there still needs to be some, you
10 know, legitimate place that can come into my home --

11 MR. PEARL: They will be able to do that.
12 You would be able to -- and Mike Vitelli mentioned that
13 this week at the testimony -- it will cost money. I
14 mean, you can't --

15 MS. SCHACTER: But how much money? And if
16 you have, let's say --

17 MR. PEARL: It would --

18 MS. SCHACTER: -- an inexpensive --

19 MR. PEARL: The normal cost --

20 MS. SCHACTER: -- TV, you may not --

21 MR. PEARL: -- of asking a -- someone from
22 Geek Squad at Best Buy or Fire Dog from Circuit City or

1 whoever does installation, that there is an -- usually,
2 an hourly charge.

3 MS. SCHACTER: And it's pretty pricey.

4 MR. PEARL: It could be. I -- but, to be
5 honest with you, it's also -- we're -- a 20 -- an
6 essence -- when -- you've got to think about it.

7 MS. SCHACTER: I'm not saying this needs to
8 come from you. It would just --

9 MR. PEARL: No, no, I'm just saying -- but if
10 you're talking about someone who has the legitimate
11 technical expertise, and that wouldn't be me, but -- to
12 be honest with you, I could probably put one together
13 and figure it out, but if you -- if you're going to
14 that next level, and a person doesn't have a family
15 member -- and it really -- I must tell you, Janice --
16 and we can take you over to the box -- it really is
17 easy. That doesn't mean that it's really easy --

18 MS. SCHACTER: I would love for you --

19 MR. PEARL: -- for someone --

20 MS. SCHACTER: I would love for you to do
21 that.

22 MR. PEARL: We can do that. But that doesn't

1 mean that every person -- it -- that it's easy for me
2 makes it easy -- it certainly doesn't make it easy for
3 my wife. I know that. And she beats that up on me all
4 the time. We have seven remote controls, and we have
5 cheat sheets around the house, all over the place.

6 MS. SCHACTER: And that's me.

7 MR. PEARL: Right.

8 MS. SCHACTER: Right.

9 MR. PEARL: So, what I'm saying is, is that
10 if a person doesn't have a family member that can help
11 them, if a person doesn't have a friend that can help
12 them, if a person doesn't have a church group or a
13 volunteer that's been trained, I've been urging, for
14 example, the possibility, with the Association for
15 Public Television Stations, with others, the FCCLA,
16 these kids are going to be trained, like Junior Geek
17 Squads. The Boy Scouts in Utah are going to get their
18 tech badges because they've learned how to put --
19 install a box.

20 MS. SCHACTER: But I still, as a person,
21 would not be comfortable with somebody like that --

22 MR. PEARL: And that --

1 MS. SCHACTER: -- coming into my home and --

2 MR. PEARL: -- kind of situation --

3 MS. SCHACTER: -- fiddling with my

4 electronics.

5 MR. PEARL: -- may be that you have to pay

6 for that. If you don't have any of that, then you have

7 to pay for it. But I do want to work -- let's talk

8 offline to see about other ideas that we can come up

9 with so that we can get the legitimate person, in

10 essence, into the homes that can help the person in

11 this -- in -- help them out as much as possible. And I

12 --

13 MS. SCHACTER: Great.

14 MR. PEARL: -- pledge to you, to work with

15 you on that, to come up with ideas that doesn't just

16 help your -- you in your situation, but helps the wider

17 community.

18 MS. SCHACTER: I mean, personally, I don't

19 happen to have an analog television, but I'm concerned

20 about older adults who --

21 MR. PEARL: Absolutely.

22 MS. SCHACTER: -- you know, are not going to

1 be comfortable with somebody just coming in their
2 house, it's a Boy Scout, and you're, like, "Oh, my God,
3 what are they doing?

4 MR. PEARL: But the -- by the same token,
5 they may not be comfortable in having someone who does
6 know what they're doing --

7 MS. SCHACTER: No, I think they would be --

8 MR. PEARL: -- who they don't know.

9 MS. SCHACTER: I think, if it's a legitimate
10 --

11 MR. PEARL: Absolutely.

12 MS. SCHACTER: -- real person, you feel
13 comfortable that they've been trained by the --

14 MR. PEARL: I cannot agree with you more.
15 And we've got to -- we've got to -- we've got to bridge
16 that gap.

17 MS. SCHACTER: Right. That's the gap I think
18 we have not touched on in the group.

19 MR. PEARL: I hear you.

20 CHAIR BERLYN: Ken promises me he has a very
21 quick
22 question for you, Marc.

1 MR. PEARL: Hi, Ken.

2 MR. McELDOWNEY: Sort of putting together one
3 of the things you were saying with what some of the
4 other folks -- earlier folks said, from the
5 broadcasters, I got nervous, because you were saying
6 that, certainly they're not going to be able to do this
7 during Christmas.

8 MR. PEARL: This Christmas.

9 MR. McELDOWNEY: This Christmas. Do you
10 think they will be able, next Christmas --

11 MR. PEARL: Absolutely.

12 MR. McELDOWNEY: -- with short-term staff and
13 -- et cetera, et cetera?

14 MR. PEARL: Oh, abs- --

15 MR. McELDOWNEY: Okay, good.

16 MR. PEARL: That's -- there is no question --
17 I mean, I think there's going to be -- I mean, if I was
18 going to make a prediction -- but, believe me, do not
19 go with me, I can't predict anything -- but if I was
20 going to make a prediction, I would say that there's
21 going to be an initial bump, the first quarter of next
22 year, people who have -- want to rush to get their

1 coupons in, have heard about this program, and they're
2 going to turn in these applications. And then, I think
3 there's going to be a tremendous falloff. And it's
4 part because Congress, though we never asked for it,
5 and we don't want it changed, but Congress gave it a
6 90-day expiration. So, people are going to have to
7 think very long and hard, "Am I ready to buy this box
8 now, and do -- am I ready to do that now?" And I think
9 that probably in the second and third quarter of 2008,
10 we're going to see a tremendous valley. I don't think
11 people are going to apply for the boxes. I think
12 they're going to say, "Hold on, let me wait, let me
13 see. Do I need it? Am I going to buy a new
14 television? Am I going to subscribe to cable?"
15 They're going to -- they're going to go through a lot
16 of these choices as they go into the stores and ask
17 questions and learn from what the FCC and the NTIA are
18 doing. Then I think you're absolutely right. In the
19 fourth quarter of next year, and into the first
20 quarter, obviously, of 2009, we're going to see a
21 tremendous spike. Now, how big that spike is going to
22 be, I -- we don't -- we don't have a clue. But that's

1 what I think. And, therefore, the training staff,
2 whether it's seasonal or full-time in the retail stores
3 that are participating in the program are -- have --
4 are -- have told me and are absolutely committed to
5 training their staffs and, hopefully, quote/unquote,
6 having sufficient boxes. But having five boxes in
7 every Radio Shack in the country, when you need 150 in
8 Fort Worth and none on K Street, is going to be a hard,
9 you know, situation, and that's what we're working with
10 the manufacturers and with the NTIA and IBM to kind of
11 figure out how much time. And so, we are encouraged by
12 the response of Congress this week on this April 1st
13 nine. And I think it's important for your to
14 understand that -- that, in point of fact, though the
15 NTIA is trying to rush these boxes into everybody's
16 hands, we only want to make sure that they rush the
17 application and the education program into everybody's
18 hands, and then make sure that, when you get your
19 coupon, in whatever part of the country you're at, that
20 you have -- in that 90-day period of time, you have
21 sufficient choices of stores to go to, to get your box.
22 You don't want to go to a store and be told, "Well, we

1 may or may not have one in the next 70 or 80 days."
2 You want to make sure. And that's what we're trying to
3 work with and trying to provide, so that no one is left
4 -- not with the information -- they'll have the
5 information, but no one is left holding a coupon that
6 can't be used.

7 CHAIR BERLYN: Thank you, Marc. Thanks for
8 --

9 MR. PEARL: Thank you all.

10 CHAIR BERLYN: Thanks for coming today.

11 [Applause.]

12 CHAIR BERLYN: Okay. There is a method to
13 this madness. We've had a great deal of information
14 this morning. You know, much of the work -- and for
15 anyone who's been on the CAC before, much of the work
16 that happens with the CAC is in the working groups.
17 And, as we've already seen with producing the comments,
18 there was a lot of time spent between our meetings on
19 producing those comments in a working group. So, we
20 have allowed some time today for the working groups to
21 just get themselves organized, talk initially, and
22 perhaps explore some of the topics that you want to

1 work on. But we also recognize that you will be
2 meeting, likely over the phone, between our meetings,
3 doing the work that needs to happen on these issues.
4 So, what we've done today is, we've designated -- and
5 we now are down to 1 hour instead of 2 hours, so our
6 apologies for that. Instead of giving you the option
7 --

8 MS. ROOKER: It was worth it.

9 CHAIR BERLYN: Good. Thank you. That's one
10 vote.

11 Instead of having the opportunity to go to
12 several different working groups, probably what will
13 happen is that you will have to self-select the working
14 group that you go to today, and you might want to spend
15 a half hour in one and a half hour in another.
16 Obviously, not all the work is happening today, but
17 this is really just an opportunity for you to start the
18 process, to see each other, to see who your group
19 leader is, and talk about how you are going to go forth
20 in the next couple of months.

21 And, to eat lunch, we have bag lunches on the
22 table, and some drinks over here -- again, courtesy of

1 the Consumer Electronics Association. We appreciate
2 that very much.

3 So, Scott is going to tell us where these
4 working groups are meeting. And then we will just --
5 Scott, you tell me which is where --

6 MR. MARSHALL: All right.

7 CHAIR BERLYN: -- and I'll write it on -- I
8 have sign-in sheets for each of you, and I'll put your
9 room assignment there.

10 MR. MARSHALL: All right, very good.

11 And if you've forgotten your working group
12 assignment, the roster is in your meeting packet.

13 The DTV group will be going to the third
14 floor south conference room, 516. Betty, are you here?
15 And Betty will lead that group up to that room.

16 The next group, the consumer media group,
17 will be going to the fifth floor south, 516 conference
18 room. That's right, consumer disability. And Tracy
19 will lead that. Tracy, if you could just wave your
20 hand. Great, thank you. Thanks, Tracy. And she can
21 even -- she even can sign-language it -- no, I'm
22 teasing.

1 And the disability group will stay right here
2 in the CMR. But please use the microphones so that we
3 can maintain captioning for you here.

4 And, by the way, in all of these groups,
5 there will be a CART reporter there, doing a transcript
6 for you. Whether or not you have someone who's deaf or
7 hard of hearing in the group, you will obtain a copy of
8 the transcript of your discussion, possibly not today,
9 but shortly -- I'll send that to you.

10 And, finally, broadband, yes. Broadband
11 group is in 438-468, which is right up this -- I'll
12 take you up there. Tracy can even do that, too. 438-
13 468, right up the stairs here, right out this door, to
14 the right. And that is the broadband group.

15 And, Brandon, if you're still on the phone,
16 should we call you at your office? Brandon, are you
17 still there?

18 [No response.]

19 MR. MARSHALL: All right, we'll try him at
20 his office.

21 That should do it. And be back here, if you
22 would, at 2 o'clock.

1 CHAIR BERLYN: One quick reminder, that the
2 bag lunches are for CAC --

3 MR. MARSHALL: Oh, thank you.

4 CHAIR BERLYN: -- members and alternates who
5 are here for the meeting today.

6 MS. TRISTANI: I have a question. If we want
7 to move from meeting to meeting --

8 CHAIR BERLYN: Yes.

9 MR. MARSHALL: Yes.

10 MS. TRISTANI: -- is that going to be a
11 problem?

12 MR. MARSHALL: No.

13 CHAIR BERLYN: Finding it could be.

14 MS. TRISTANI: But, I mean, access -- access
15 into the rooms, because some of these floors, they're
16 --

17 MR. MARSHALL: Your visitor badges should
18 open them up.

19 CHAIR BERLYN: No, they don't.

20 MS. TRISTANI: No, they don't. I just
21 thought I'd point that out.

22 CHAIR BERLYN: That's a very good point.

1 MR. MARSHALL: Hmm. I was told exactly the
2 opposite. I'll have to check that out further for next
3 time. If you want -- do you want to call me? Let me
4 give you my cell phone number. If somebody wants to
5 move, I or someone else will come on down and escort
6 you to the other room.

7 MS. TRISTANI: Okay.

8 MR. MARSHALL: Would that work? My cell
9 phone number is 202-744-4661 -- 202-744-4661.

10 CHAIR BERLYN: And Shirley has a question.

11 MR. MARSHALL: Okay.

12 MS. ROOKER: Ed Barthomele, the new executive
13 director of Call for Action, is here this morning, and
14 he's going to be my alternate, if I'm unable to attend.
15 Is it okay if he goes to one of the working groups?

16 CHAIR BERLYN: Absolutely.

17 MR. MARSHALL: Absolutely.

18 CHAIR BERLYN: Absolutely.

19 MS. ROOKER: Okay, thank you.

20 MR. MARSHALL: Anybody can go to the working
21 groups, you know, in -- as a nonmember -- nonvoting
22 member.

1 By the way, Lois Neely now is going up to the
2 fifth floor, correct?

3 CHAIR BERLYN: Can you --

4 MR. MARSHALL: Okay. Lois, identify
5 yourself, there. Okay. And that's Ken's group, is it
6 not? All right, I guess we're in good shape.

7 [Lunch recess at 1:00 p.m.]

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

1 everything from early termination fees to sets blocking
2 your ability to go from one carrier to another. And
3 the final one was, sort of, further exploring the
4 issues that were raised in the GAO report.

5 CHAIR BERLYN: Okay, great. Thank you, Ken.

6 Let's see, Paul, you want to go next?

7 MR. SCHLAVER: This was the DTV working
8 group. We talked about a whole bunch of different kind
9 of random things. I think we kind of generally felt
10 that we were really wanting the FCC to take a more
11 strong role, almost a czarlike role, to coordinate the
12 effort, at least in terms of kind of creating a -- not
13 so much to control each element of the marketing and
14 the information, but to, maybe, help get an
15 identifiable brand that people can really connect with.
16 I mentioned Smokey the Bear, and didn't realize that in
17 England they had a variation on that, you know, the --
18 so, the idea of having a brand identity might catch
19 people's eye more.

20 Also, we see a need for simple messages that
21 can be filtered down to the very local level instead of
22 expecting everybody to kind of rewrite articles for

1 their local Council on Aging newsletters and church
2 bulletins or whatnot, that if there were some simple
3 messages that were produced, that that could be
4 helpful. We raised the issue of fraud that might take
5 place, and so, one of the messages has got to be fraud-
6 alert-related, because there will be scoundrels out
7 there taking advantage of people.

8 And then, the last thing I wrote down was to
9 really make good use of coordinating with local and
10 State governments, because they, hopefully, know the
11 networks and know how to reach people, and it's kind of
12 a difficult burden for the private sector to have to
13 figure out how to get the messages out to the people
14 that are really in need. And so, we've got to make use
15 of the government networks to do that.

16 CHAIR BERLYN: Okay, thanks, Paul.

17 Karen?

18 MS. STRAUSS: We had the disability working
19 group. We talked about a lot of different areas. We
20 talked about three different areas within disability
21 issues. The first had to do with digital television,
22 and there were about four or five different areas

1 within that, or concerns, I should say. The first one
2 has to do with the exemptions for new networks. We had
3 actually brought this up at the last CAC. It has to do
4 with the fact that new networks under the caption --
5 FCC's captioning rules, have an automatic exemption of
6 up to 4 years. And there are some HD networks that had
7 been standard definition networks that are now -- that
8 are providing substantially similar programming to when
9 they were standard definition, but, once they become
10 HD, they declare themselves to be new networks. So,
11 that's one of our concerns. We want the --
12 clarification from the FCC on that.

13 There's been an enormous number of problems
14 surrounding DTV with respect to the provision of
15 captions. We actually talked about these in the
16 comments to the Commission, but we do want to follow up
17 with -- on them. And it would preferably be best to
18 have some dedicated personnel devoted to this. Just
19 the way they're devoting dedicated personnel to
20 outreach, there really need to be people that are
21 dedicated to making sure that the pass-through of
22 captioning is -- and video description -- is addressed.

1 Even though video description isn't required, it's
2 provided by stations around the country, certain
3 networks, and it has to pass through.

4 There's also an issue having to do with
5 accessible user interfaces on TV. This has to do with
6 people who are blind. More and more televisions are
7 using remotes with flat buttons, and you cannot feel
8 them tactilely. And on-screen menus that you cannot
9 navigate if you cannot see. So, television, which was
10 once fairly accessible, in terms of its controls, its
11 user interfaces, are -- they're becoming more and more
12 difficult to navigate if you can't see. And it's
13 something that -- something that we're bringing to
14 Congress, but we also want the FCC to be aware of it,
15 and we want this group to be aware of it.

16 And we -- all of these, we're going to have
17 to work up into what we want the FCC to do, but these
18 are just the subject matters.

19 Similarly, it was mentioned earlier that some
20 of these PSAs and ads are not fully accessible. For
21 the most part, they're now providing captions, but many
22 of them still don't have all of the visual information

1 in an audio form, such as important telephone numbers
2 and Web sites.

3 So, those are just some concerns, again,
4 related to DTV. We talked, generally, about the
5 problems with the ads, as well, and the need for more
6 serious ads, to make people really understand that this
7 is not a commercial advertisement.

8 Relay services is another area that we're
9 still concerned with. It's -- understanding that this
10 advisory committee is going beyond just television
11 issues. There's three issues right now that we're
12 concerned with. Very briefly, one is dealing with --
13 there are various kinds of relay calls, and some calls
14 from one type of relay to another type of relay may
15 involve two communication assistants, which are the
16 operators, such as a text call to a video call. And
17 the FCC has been very reluctant to accept these as
18 legitimate calls. In other words, there's no
19 reimbursement for them. So, that's something that's
20 been on the -- of concern for a while.

21 The second concerns the fact that more and
22 more businesses are not accepting relay calls, for

1 various reasons, some of which have to do with some
2 fraud that's occurred. In addition, there have been
3 concerns about security. There's just a lot of
4 businesses now -- banks and Federal agencies and others
5 -- that are not accepting relay calls. And so, that's
6 something that we really need the FCC's help on,
7 because they promised to do outreach with small
8 businesses, with other agencies, and they really
9 haven't followed through.

10 And then, the third item is universal
11 numbering for relay services that are carried over the
12 Internet. Right now, they use dynamic IP addresses.
13 And this is something that the FCC has an open
14 proceeding on. Maybe by the next time we meet
15 something will have been done on it. I -- but I doubt
16 it. So, it's something that we want to have looked at
17 by this committee.

18 The last subject area is hearing-aid
19 compatibility, and that has to do with telephones that
20 are -- can be used more easily with people that have
21 hearing aids or cochlear implants. And, without going
22 into the technical reasons for why, there are problems

1 with Apple phones, with the iPhone. There -- for
2 years, we've been working on this -- these issues with
3 respect to wireline phones, cellular phones, new
4 cordless phones. We've pretty much gotten things in
5 place for those three, but then along comes the iPhone.
6 It's always something. And it is so not accessible
7 that it is just -- it's not -- I mean, I can't even
8 begin to describe for you how inaccessible it is. It
9 is -- it is not accessible to hearing-aid users, to
10 cochlear-implant users, to blind people, to people with
11 mobility issues, fine motor-control issues. It's just
12 a completely inaccessible phone. And so, you have to
13 be young and able-bodied and, you know, mobile and
14 hearing and sighted, and otherwise you cannot use it.
15 So, you know, there are laws that require accessibility
16 of cell phones, and they're just not in synch with
17 those laws at all. There's 255, there's a Hearing
18 Compatibility Act, et cetera. So, that's definitely on
19 our table.

20 A number of complaints, by the way, have
21 already been filed about that phone, and they are
22 sitting here at the Commission. So, we'd like them

1 addressed.

2 So, that's it. Thank you.

3 CHAIR BERLYN: Thank you, Karen.

4 Brandon, are you going to speak for your
5 working group, from the phone?

6 MR. STEPHENS: Yes, I can.

7 CHAIR BERLYN: Thank you.

8 MR. STEPHENS: Thanks for the opportunity
9 again.

10 A smaller, yet really concerted, group of
11 people discussing broadband and broadband issues that
12 are out to the underserved areas, our group today made
13 some initial discussions of what topics that they would
14 like to address. And our broad area of discussion is
15 basically based on the overall objective of how
16 effectively and how efficiently to deploy broadband to
17 areas of the Nation that are underserved and, you know,
18 who know -- most need them, and where it flourish with
19 some reasonable support.

20 Some of those steps to getting there would
21 be, one, let's define "broadband." For a number of
22 years, the definition "broadband" has been 200 kilobits

1 per second. That may be out of date, as the
2 applications and demands are pushing speeds probably
3 closer to one and a half megabits and probably higher.
4 The committee may work on some recommendations to help
5 understand the definition, or a new definition, and
6 especially since the cornerstone of some Federal
7 programs to provide grant funding, or some support
8 funding, may be where the definition is key.

9 Universal Service Fund is another area to
10 helping deploy the broadband to areas. The Federal
11 Communications Commission has control over the
12 Universal Service Fund. And if you don't know what
13 those are, they're high-cost areas, education, ranging
14 to E-Rate. Then, the third area may be healthcare; and
15 the fourth, lifeline and linkup.

16 And the high-cost funds have recently
17 received several billions of dollars that may be able
18 to help with this effort. Primarily, they've been
19 focused on dialtone service. But the group may be
20 looking for more justifications on high-cost funds to
21 helping deploy broadband.

22 Other areas -- a third area is research.

1 Many areas of the country don't exactly know what
2 broadband services they have or where they're located.
3 A comprehensive look is going to be needed to see where
4 that infrastructure is, what's the reliability of it,
5 and also to see where broadband may be located even
6 closer in to major healthcare facilities, educational
7 networks, and to public service. And that would range
8 anywhere from just -- our end users to homeland
9 security, and some points in between.

10 Then, other areas may come down to the last
11 one that we had discussed. Basically, it's just the
12 FCC leadership on this, because there needs to be some
13 sort of support. Going back to that, we know that this
14 may or may not be at the top of the political charts
15 right now, but we need to lay the groundwork for future
16 administrations, future leaderships, from folks like
17 this board on up to executive levels, to help us deploy
18 this. Those are our three areas that we'd like to
19 focus.

20 CHAIR BERLYN: Thank you, Brandon.

21 MR. STEPHENS: Four areas, sorry.

22 CHAIR BERLYN: Thank you, Brandon.

1 Charles?

2 MR. BENTON: Charles Benton, here.

3 If I can just add a P.S. to Brandon's
4 excellent report, just two quick points.

5 Number one, our group wondered who at the FCC
6 is working on the "broadband" definition. We'd like to
7 know who's responsible, what's the state of play here,
8 what is going on. We just really don't know, and we
9 would like to understand who -- whose responsibility is
10 this and what is -- what is -- what work is being done
11 on this issue of the definition of "broadband" at the
12 FCC, since, by congressional mandate, it is the FCC
13 that is supposed to define what "broadband" is. So,
14 that's number -- point number one question.

15 And the second point is that there is --
16 there was a public notice statement on long-term
17 comprehensive high-cost universal service reform from
18 the FCC on September 6th. And I -- there apparently --
19 this was just a one-page outline, which actually
20 included broadband in the concern about this. So, it
21 was the first kind of a breakthrough statement. And
22 so, there will be -- we understand from Commissioner

1 Tate's office, there will be a further elaboration of
2 this in a matter of a couple of weeks. So, we thought
3 that our committee could look at that -- when this
4 further elaboration comes out, we could look at this
5 elaboration and then see if that might be the basis of
6 further work for the committee, to try to give the FCC
7 advice on next steps here. So, that was --

8 So, those are the two very practical points,
9 one a question, and the other what we might do as a
10 small group.

11 And anybody else that wants to join in, we
12 only had four of us, so it was a very select committee.

13 CHAIR BERLYN: That could be because we all
14 were meeting at the same time, so there are --

15 MR. BENTON: Of course, yeah.

16 CHAIR BERLYN: I'm sure there are others who
17 --

18 MR. BENTON: No, they had to choose. That's
19 exactly right.

20 CHAIR BERLYN: -- were interested.

21 Gloria, you want to comment?

22 MS. TRISTANI: Hello? Okay.

1 I believe I may be -- I'm not sure if I'm
2 correct, but I believe there's a proceeding that is
3 examining the broadband definition, as we speak, so
4 maybe, Scott, you can get someone to get that
5 proceeding. But I'm relatively sure that that's been
6 asked. And I'm sorry I couldn't be at your meeting. I
7 wanted to be at four meetings at the same time, and --

8 [Laughter.]

9 MS. TRISTANI: -- hopefully, will be able to
10 have more time and maneuver that, be -- where it can be
11 easier to move around.

12 CHAIR BERLYN: Yeah, most definitely. You
13 know, now, hopefully, the groups will be going forward
14 and holding conference when your members are available,
15 so that you can carry on with some of these topics that
16 you've mentioned, continue your good work, and report
17 back to us at our next meeting.

18 Okay. Well, now we're at our point of
19 talking about old and new business. And I believe we
20 do have some old business to continue. And I want to
21 recognize Charles for discussion of our old-business
22 agenda item.

1 MR. BENTON: Thank you.

2 In the packet, you'll notice, at the very
3 rear, the end of the right-hand side of the packet,
4 there's a -- it looks like this -- a picture on the top
5 of it says, "Consumer Advisory Committee," and it's --
6 at the last -- at the last meeting, I -- the minutes --
7 I -- let me just read from the minutes. Hold on a
8 second. Here we go. At the last meeting, I -- in the
9 -- there was half a dozen action points, and it -- the
10 last action said, quotes, "It was the CAC's consensus
11 that the November '06 recommendation on CAC
12 effectiveness and recommendation follow-up should be in
13 the agenda in November for further discussion and/or
14 reaffirmation."

15 So, that was in the minutes, and you all got
16 this, last time. And there were -- this was a small ad
17 hoc group in the last CAC, the 2005-2006 CAC. We're
18 reborn in the 2007-2008 CAC, at half the -- half the
19 number of people. But this was a small ad hoc group
20 that put forward five points, including enhancing the
21 CAC Web site, which is point number one here; number
22 two is follow-up and recommendations with inquiry to

1 Commission and its staff; number three, initiate
2 regular dialogue with the FCC chairman and his -- and
3 his or her staff; four, provide guidance and request
4 from the Commission and/or individual commissioners, so
5 that -- we really want to be able to meet the needs of
6 the Commission, as they see it. And then, finally,
7 attendance of relevant Commission staff members at CAC
8 meetings.

9 So, these -- this was worked through in a
10 very deliberate and systematic way last time, and I
11 would simply -- I'd like to move that we adopt this set
12 of recommendations and send it to, I guess, the
13 chairman's office. That's -- we report to the
14 chairman. I'd like to move the adoption of this, which
15 was the -- which was a unanimous resolution from the
16 last CAC, on the effectiveness of future CACs. So, I
17 would like to move the adoption of this procedural
18 memo.

19 CHAIR BERLYN: Okay. We have a motion to
20 adopt --

21 VOICE: Second.

22 CHAIR BERLYN: -- and a second. Do we have

1 any discussion?

2 MS. ROOKER: Why are we adopting it again?

3 It's already done.

4 MR. McELDOWNEY: This is reiterating.

5 MR. BENTON: This is the new CAC, half the
6 size, and different people.

7 CHAIR BERLYN: So, it has gone -- it did go
8 to the FCC at the close of the last Consumer Advisory
9 Committee. It was sent out and approved. And so, the
10 issue before us today is to -- basically, to reaffirm
11 this and send it to them once again as guidance from
12 this particular Consumer Advisory Committee.

13 MR. BENTON: That is correct.

14 CHAIR BERLYN: Is there any further
15 discussion?

16 Karen?

17 MS. STRAUSS: I just wanted to -- this is
18 Karen -- I just wanted to support it. Again, the one
19 concern that we have had always with the outcome of
20 this committee is that we say a lot of things here,
21 and, unfortunately, if you look around the room, you
22 won't see very many people, other than the Federal

1 designated officer sitting in the room, from the FCC.
2 And that is a real problem. If we are the Consumer
3 Committee that is representing consumers, telling the
4 FCC what to do -- there's something really wrong with
5 that. We had two commissioners come in today. Where
6 are the rest? Where are their staff? Where is CGB,
7 the Consumer Bureau that is implementing many of the
8 things we're talking about? And so, I do think it is
9 very important for this new group to reiterate these
10 points and follow up on them.

11 CHAIR BERLYN: Gloria?

12 MS. TRISTANI: I just want to express my
13 support, as well, for some other reasons Karen has
14 stated. I would like to add that I think we should --
15 after, hopefully, we adopt this, we should discuss,
16 today, What other ways can we get FCC staff involved?
17 Maybe if we're talking about broadband, invite staff
18 that is working on the broadband proceedings to tell
19 us, "This is what we're doing in positive ways,"
20 because we really need to reach out to the staff. But
21 one of my little peeves -- and I always have to bring
22 in a peeve -- is that I hope we can at least have the

1 Web site up to date, because it doesn't have any
2 information on our August meeting. I know it is not
3 Scott. I bug Scott all the time, and I know he tries.
4 But, if nothing else, we need to enhance it. But let's
5 get it up to date so that we have the information about
6 these meetings, the transcript from our prior meeting
7 there, so the public knows what we're doing or what
8 we're attempting to do.

9 CHAIR BERLYN: Seeing no other -- oh, I'm
10 sorry, Ken, I didn't look to my right.

11 MR. McELDOWNEY: You called on me a lot more
12 when I was on that side of the table.

13 CHAIR BERLYN: I have left leanings. What
14 can I tell you?

15 [Laughter.]

16 MR. McELDOWNEY: Rich got to keep his seat.
17 Julie took my seat.

18 No, I think it's -- since it was submitted at
19 the end of the last CAC, I think it is important to
20 reaffirm it and, hopefully, to actually get a reaction
21 back from the Commission, in terms of how they respond
22 to these recommendations. Again, I think that is an

1 important part. We can make recommendations, but,
2 unless we hear back from the Commission -- you know,
3 even if they say no, that would be fine. It would be
4 wonderful to hear back that someone had listened.

5 MR. BENTON: If I can just put in a P.S., I
6 think it would be in line with, I think, your very
7 enthusiastic reception of this resolution, if you, as
8 the chairman of the CAC, were to write the chairman of
9 the FCC, to whom we report, saying, "We talked about
10 this, and we really would like to have his or her
11 office's reactions to this so we know where we stand."
12 I think that would be very good. And, with your
13 prestige and strength as the chairman of the
14 Commission, this would be, I think, the next
15 appropriate step on this.

16 CHAIR BERLYN: Shirley?

17 MS. ROOKER: Shirley Rooker.

18 I have a comment, and that is, it seems a
19 little redundant to adopt something we've already
20 adopted and sent to them. Would it not be more
21 appropriate to perhaps write to the Commission and ask
22 them their response, or something of that nature? I

1 understand the feeling that it may be falling into a
2 vacuum, but I'm not --

3 MS. STRAUSS: I have a very specific answer
4 to that.

5 CHAIR BERLYN: Karen, to answer.

6 MS. STRAUSS: Over the past few months, I've
7 been bringing the question of the new network issue up
8 to them repeatedly, telling them that the former CAC
9 brought this up, and they have repeatedly said they
10 cannot find it, they don't know where it is. They
11 don't know where the resolution is. I've sent it to
12 them. We have sent it to them, and they still say they
13 don't know where it is, and they've not responded to
14 it. So, I think we really need to pass this again.
15 And even though it's a little bit redundant -- I agree
16 with you -- and under normal processes, I would agree
17 you should be able to ask them to follow up on
18 something that the last group did -- I don't think that
19 is the case here.

20 MS. ROOKER: What if we sent them a letter?

21 MS. STRAUSS: I sent them a letter, Shirley.

22 MS. ROOKER: What if we sent them a letter --

1 and it's going to be as effective as -- doing that as
2 readopting something we already adopted. I think that
3 looks rather strange, frankly.

4 MS. STRAUSS: I guess the way I feel about it
5 is that, unless there is any objection to it, having
6 the most recent group that has been formulated by the
7 chairman reaffirm these principles is important.

8 MS. ROOKER: I don't have any problem with
9 that. It just seems strange to me.

10 CHAIR BERLYN: If I can make a suggestion.
11 Charles, it might just be a couple of tweaks on the
12 wording here, and, instead of our saying that -- as we
13 are doing this past one -- rather, make it in the
14 present -- instead of saying, "As we conclude our 2-
15 year," we could say, "As we start our new CAC, we want
16 to reaffirm the recommendations of the last CAC."

17 MR. BENTON: That, I have no problem with.

18 CHAIR BERLYN: Janice?

19 MS. SCHACTER: One other thing that was
20 brought up during the last meeting was developing,
21 almost like a flow chart of everything that was
22 submitted, and then coming across where it is in the

1 process. And that is, kind of, I think, what we're all
2 saying. Perhaps we could have a flow chart, if they
3 would be so kind, and just kind of let us know, like
4 Ken said, you know, okay, if you didn't get, okay, but
5 at least we know it was done. And even if we can just
6 get a status report -- because if -- there is this
7 feeling of working in a vacuum, of going nowhere.

8 CHAIR BERLYN: If I can say, that was the
9 purpose of this, originally, was so that we could get
10 some feedback.

11 MS. SCHACTER: But I'm thinking, like, a flow
12 chart, so we could, at each meeting, have almost like
13 -- know where it is in the process.

14 CHAIR BERLYN: Shirley?

15 MS. ROOKER: I think Deborah does have a
16 valid point about making it in the current context of
17 this CAC, but I have an editorial comment about this.
18 I really take offense that we keep saying to the FCC
19 that they "should." Now, I know that I wouldn't like
20 that language, if you were telling me I should go do
21 this, I should do that. It sounds like we're parents,
22 addressing a child. Why can't we temper that language

1 and say that, "We recommend the FCC." Let's not say,
2 "The FCC should." You know, it's a small thing, but I
3 edit stuff that I write all the time, and I would like
4 us to edit this, because I think it just -- it is still
5 a positive recommendation. I don't know, maybe no one
6 else objects to it, but I just feel like it is we're
7 addressing a group of children, and we're saying,
8 "Well, you should do this, and you should do that."

9 MS. TRISTANI: The FCC gets "You should" all
10 the time.

11 MS. ROOKER: I don't care whether it's
12 typical. I think it is poor language.

13 MS. TRISTANI: Can I just -- we're competing
14 with many other recommendations, so we should be doing
15 it in the language that everybody else is using. I
16 don't think it is insulting in any way. I was there.
17 I received recommendations from many advisory committee
18 -- commissions and committees.

19 MS. ROOKER: Did you listen to them?

20 MS. TRISTANI: Absolutely. Absolutely.
21 Absolutely.

22 MS. ROOKER: It doesn't change the text of

1 what we're saying at all, it just makes it in the "We
2 recommend that the FCC" instead of saying "The FCC
3 should." I just take issue with it, in terms of an
4 editing issue, that's all. It's not that important.

5 MS. TRISTANI: I just want to get it passed.
6 I'm happy to change the language, if that makes you
7 happy, Shirley, and if everybody else wants to.

8 MS. ROOKER: That's up to the group.

9 MS. TRISTANI: I'm delighted to accept the
10 change.

11 CHAIR BERLYN: Well, let me see, I'm going to
12 try and be official, here. We have a motion. We have
13 a second. We have discussion. We had -- you accepted
14 my friendly amendment to put it in the present tense.

15 Shirley, if you want to offer an amendment to
16 change "should" to "we recommend" or something that
17 would -- clarifies that.

18 MS. ROOKER: I would like to recommend that
19 we just take out the word "should." The sentence reads
20 perfectly fine, it is just that I feel that that is not
21 just -- it's just my feelings. I just don't like it.
22 What can I say?

1 CHAIR BERLYN: Julie?

2 MS. KEARNEY: Could we "advise that the FCC
3 should"?

4 MS. ROOKER: Well, we already say "we
5 recommend." You don't need "should" in the sentence to
6 make it complete. We just say " we recommend the FCC,"
7 not that "the FCC should."

8 MS. SCHACTER: It doesn't sound like it has
9 conviction, coming from a place of strength, when you
10 say "recommend." It sounds like, "Well, we're a little
11 nervous about it."

12 MS. ROOKER: No, that's not true at all,
13 you're misreading what I said. I really don't care.
14 I'll withdraw it.

15 CHAIR BERLYN: We have someone who still
16 wants to make a comment.

17 MR. ISETT: From an editing standpoint,
18 Shirley, I completely agree with you, but this is a
19 Federal agency who works for us. At least in theory,
20 we pay their salaries. So, I don't have a big problem
21 with telling them they should do something.

22 MS. ROOKER: Well, they should do something.

1 CHAIR BERLYN: Okay. Shirley has withdrawn.

2 MS. ROOKER: I got it off my chest. I had to
3 give you all something to laugh about this afternoon.

4 CHAIR BERLYN: Is there any further
5 discussion?

6 MR. STEPHENS: Madam Chairman, this is
7 Brandon Stephens.

8 CHAIR BERLYN: Yes, Brandon?

9 MR. STEPHENS: I call the question.

10 CHAIR BERLYN: Thank you, Brandon.

11 All those in favor of reaffirming our
12 recommendations, say aye.

13 [A chorus of ayes.]

14 CHAIR BERLYN: Any opposed?

15 [No response.]

16 CHAIR BERLYN: Or abstaining?

17 [No response.]

18 CHAIR BERLYN: Okay, thank you. As approved,
19 Charles and I will get together and we'll just fix that
20 to put it in the present, then we'll move it forward.

21 MR. BENTON: Thank you.

22 CHAIR BERLYN: Thank you.

1 Okay, is there any other old business to
2 conduct?

3 [No response.]

4 CHAIR BERLYN: If not, then we move to new
5 business.

6 Ken?

7 MR. McELDOWNEY: Is this morning new
8 business, or is that old business?

9 CHAIR BERLYN: You're right on the cusp here.
10 Go with it.

11 MR. McELDOWNEY: I was very bothered by this
12 morning, in a number of different ways. When the head
13 of -- when the head of the Consumer Governmental
14 Affairs division is asked if they've asked for
15 educational funds, and she basically says, "I don't
16 know, you should ask somebody else," I mean, I found
17 that very, very disturbing. When NTIA talked about
18 their \$5 million educational campaign, as far as I can
19 tell, it went all to a high-powered PR firm. And, in
20 terms of everyone who spoke this morning, I did not
21 hear a single person talk in terms of providing
22 materials in printed copies in any sort of aggressive

1 campaign, in terms of getting it out at the community
2 level. They're talking to national groups that very
3 often can't -- obviously cannot direct their local
4 chapters, in terms of doing stuff, much less directing
5 them to do something if there is no funding for it.

6 I have just -- this is a massive effort, and
7 it's going to take educational funds at the local
8 level. And as much as I sort of enjoyed hearing about
9 what the different sort of national associations were
10 doing, it seems to me that, in the future -- oh, this
11 is new business -- it seems, in the future, one of the
12 things we should maybe try to do is to have folks back
13 just in terms of really focusing in on the need for a
14 community-based program or a way of actually getting to
15 people at the local level, one on one, to supplement
16 what is being done at our Web site and supplement
17 what's being done, in terms of PSAs. But I just think
18 there's a lot of knowledge around the table, in terms
19 of how to be effective at the local level. And I just
20 -- I think that needs to be tapped in, and I think it
21 needs to be much more sort of a cooperative type
22 effort, because otherwise I know it's going to be very

1 frustrating for me, and I think it's going to be
2 frustrating for other people around the table.

3 CHAIR BERLYN: You know, if you could, when
4 we have a discussion where there's multiple people
5 trying to get my attention, put your card up and leave
6 it up, and then when you speak, put your card back
7 down, and that way I will know who wants to make a
8 point.

9 Janice? And then Charles.

10 MS. SCHACTER: One thing that was raised
11 during our disability group meeting -- and this is,
12 frankly, an area that is not my expertise, but it was
13 for people with visual impairments -- was, some of the
14 PSA announcements are not using or listing a phone
15 number or information, and they're not stating it. So,
16 someone with a visual impairment -- and this is, to me,
17 a no-brainer solution and should never rise to this
18 point. And I'm concerned that those type of issues are
19 not being addressed when they're raised, and -- because
20 how hard is that to add? Fine, it's an oversight, you
21 missed it. Great, you should learn from that by now.
22 And why is that not being addressed? I mean, that is

1 my concern.

2 And I think there was another issue that the
3 gentleman raised who's not here now, besides the phone
4 number. Do you remember what it was? I would just
5 like to see some of that input, and, as these are being
6 developed, also meeting with the groups that they
7 actually serve, because what's the point to doing it if
8 you meet a group and it's really not going to reach
9 that group? It kind of becomes, then, you know, a moot
10 point.

11 CHAIR BERLYN: Before I move on to Charles'
12 comment, I would like to have an answer to your
13 question, Janice, because it is an important one. And
14 I know that when the cable ad first came out, for
15 example, we did go right to cable and say, "You can't
16 just mention the Web site and put the phone number on
17 the screen, because a lot of people need that phone
18 number first, and you have to speak it. You just can't
19 put it on the screen." So, I'm completely with you.
20 But we need an answer to that. And I think your
21 question is, How can those that these ads impact be
22 integrated into the design and planning for these

1 advertisements? And so, I'm going to, maybe, kick that
2 to -- I hate to call on you on this, Doug, but you are
3 here. The broadcasters are doing ads. Is there a way
4 to integrate these sort of expertise that various
5 different communities have before ads are already out
6 there for several months? Is there a way that you can
7 integrate that into your planning?

8 MR. WILEY: I think it was brought up at the
9 last meeting by one of you to me, and I did pass it
10 along. And I'm sorry it didn't make it into the first
11 ad, but I think Marcellus got the word, and we will
12 take that back and try to correct that, because it is a
13 good point. So, whatever we can -- we want to get the
14 word out to the most number of people possible, and we
15 want to send the message that we're specifically
16 focusing on the disability community and those people
17 that are disenfranchised. So, that doesn't exactly
18 send the message. I don't disagree with you on that.
19 But I did relate it back. It just didn't make it into
20 the production, because there was such a rush to get
21 the first couple out. And we will correct that, going
22 forward.

1 MS. CRAWFORD: When I first learned that --
2 am I on? -- when I first learned about the Ketchum
3 group at the workshop here, I went right over and said,
4 "I want to be involved, and I want to provide feedback
5 from the deaf and hard-of-hearing community about your
6 information that you're developing, your application
7 form, and whatnot." And I was contacted, and we
8 brainstormed a number of different ways to get that
9 feedback. And then I didn't hear anything. And I
10 called back, and I said, "Well, what is it?" Well, you
11 know, they're on such a tight deadline, it's, like, the
12 end of October, they have to have this stuff done. And
13 I finally did, I got the application form, but I didn't
14 get the information that went with the application
15 form. So, all I got to review was the form itself.
16 And I said, "Well, I want to make sure that the message
17 is consistent and that it's understandable, and I want
18 the opportunity" -- and it is not like I'm not trying,
19 and I've got direct contact. And if I'm having this
20 much trouble, and I am told that, yeah, they did get
21 feedback, and, quite frankly, my response was, "I want
22 to know who you talked to, because right now I have no

1 assurance."

2 CHAIR BERLYN: We really can't wait until
3 March to pick this up, so we have to figure out a way
4 to talk about some of these issues soon. And one of
5 the things I was going to suggest is that we have a
6 meeting with Ketchum and NTIA to talk about exactly
7 what are they planning on doing, because I don't think
8 they are reaching out to the groups now for input. I
9 really don't think they are. They did, very early on,
10 when they first got the award. They may have come
11 around to a couple of organizations. But I don't think
12 they're continuing that effort. I think, perhaps, to
13 pick up on what you're saying, we need to sit down with
14 Ketchum and see what they're doing now.

15 MR. MARSHALL: I understand what's just been
16 said, and I certainly understand the point. My only
17 word of caution is that it seems to me that certainly
18 all of you could meet individually with Ketchum or
19 NTIA, but remember what the jurisdiction of this
20 committee itself is all about, which is advice to the
21 FCC. And, like it or not, for better or for worse, I
22 think we have to sort of operate within that guideline,

1 because that is our charter. So, maybe the solution is
2 to figure out a way of providing that advice to the
3 FCC, but I'm not so sure that the CAC can provide a
4 recommendation -- in fact, I'm more than not sure --
5 the CAC can't provide a recommendation -- it is not
6 empowered to provide a recommendation to NTIA or to
7 Ketchum, even though it may be very valid advice and
8 something that is worth doing.

9 CHAIR BERLYN: Well, that's important
10 information, Scott, and I thank you for that. And I
11 forget about that, too.

12 MS. TRISTANI: I think we're all fully aware
13 that we couldn't give a formal recommendation to NTIA,
14 that we're not chartered to do that. We were chartered
15 to look at DTV educational outreach, and what NTIA is
16 doing is part and parcel and integral to that. So, I
17 think we need to do whatever we need to do, that we
18 have responsibilities on this committee and as good
19 citizens. And NTIA can say, "We don't have to meet
20 with you," and that's fine, right?

21 CHAIR BERLYN: Well, I agree, Gloria. And
22 the chair gets an opportunity to jump in whenever she

1 wants, I guess. I agree with what you're saying, and
2 there's no reason why -- I also think that getting
3 information with Ketchum informs us in what we say to
4 the FCC, as well. So, I see it as, in part,
5 information-gathering rather than making formal
6 recommendations.

7 Charles?

8 MR. BENTON: I want to come back to Ken's
9 point, because it's an issue of resources and money.
10 That is a very difficult arena. And I just have some
11 thoughts on this. I was not able to participate in the
12 DTV group meeting, but, I think, at that meeting was
13 passed out the summary of Mark Goldstein's comments.
14 He is from the Government Accounting Office, and he
15 recently looked at the DTV transition. And his first
16 comment here is, "There's no comprehensive DTV
17 education plan. No comprehensive plan exists for DTV
18 transition. The comprehensive plan could detail
19 milestones for assigning and coordinating
20 responsibilities and deadlines, measuring progress. He
21 said planning also includes assessing, managing, and
22 mitigating risk, which could help the organization

1 identify potential problems before they occur and
2 target limited resources. Without such a plan,
3 meaningful guidance for coordinating responsibilities
4 and measuring progress may not be available to the
5 private or the public sector."

6 Now, let me just make this point. I thought
7 Commissioner Copps's comments this morning about the
8 \$400 million in the U.K. to be spent in informing the
9 public, including two visits to every family and
10 citizen for a population of 60 million, which is 20
11 percent of our population, is absolutely staggering.
12 Number one.

13 Number two, if this thing fails, who is going
14 to be -- I mean, the Congress has said the FCC should
15 be the responsible agency. Well, if there's really --
16 if there's a problem, and this is failure, who is going
17 to be blamed? Well, Congress will get part of the
18 blame, but, you know, a way of mitigating this would be
19 to use the plan, because the chairman has got a plan
20 that results from the collection of information on the
21 NPRM, which we contributed to, and many others. And
22 that is circulating, but there's no decision on that.

1 But once those rules get set and that plan is laid out
2 on the table, that then becomes, I guess, as close to a
3 comprehensive DTV education plan as we'll have. It's
4 certainly progress, better than what we've got now.
5 And to do that plan might require additional funding.
6 So, why should not the FCC then go back to Congress at
7 the appropriate time within the cycle, within the
8 appropriate cycle, and ask for more money. If they
9 don't get the more money that they need to make the
10 plan work from Congress, then it's both Congress's --
11 not just the FCC's fault, it's Congress's fault,
12 because they didn't appropriate the money that was
13 necessary to make the plan work.

14 It seems to me -- that's my understanding,
15 and I'm sure there's more subtleties to all of this,
16 and I understand, because I'm not really -- even though
17 our offices are in Washington, I live in Evanston, and
18 I still have an awful lot to learn about how things
19 work around here, but it seems to me that -- from what
20 I do know, that that would not be a bad way of thinking
21 about this.

22 And so, we need to wait to see what the plan

1 is that is approved. We had our input on it. And --
2 thanks to Gloria, who insisted on our last -- at the
3 August 10th meeting, insisted that we become a part of
4 the formal process in the rulemaking, and not just send
5 our recommendations upstairs, but that we become a
6 formal part of the process. And my understanding is
7 that that was quite helpful, and we're referred to in
8 the order that is circulating. And so, we can be proud
9 of at least having contributed in some way, or some
10 ways, to that process.

11 But, anyway, we need to wait -- who knows
12 when this -- I can't imagine it's going to be very
13 long. They're going to have -- this order is going to
14 have to be out pretty soon. That time is a'wasting, so
15 that the Commission has got to make some decisions
16 about this in the very near future. And, once they do,
17 and we can look at what they have decided, then, to
18 make it work, I'm sure there's going to be additional
19 funding that would be very helpful. And so, it is a
20 way -- I'm just trying to think ahead here -- but, why
21 not?

22 CHAIR BERLYN: Yes?

1 MS. HEPPNER: While we're on the subject of
2 outreach and consumer education, I would like to jump
3 to some thoughts this morning. I was somewhat
4 disturbed by the things I heard. As I told my neighbor
5 here, the more I learn at these meetings, the bigger my
6 headache is.

7 I learn new things about how just because
8 we're here doesn't mean that you might not just have a
9 decoder or converter box, which is not what we have
10 been telling people so far. There's also the selection
11 of -- I would guess, for about 20 years, I have been
12 involved personally and in supervising other people who
13 try to help people who are deaf and hard of hearing and
14 blind, with new equipment. This is really
15 telecommunications, but it is all about the TV decoder
16 equipment. And the one thing we have learned is that
17 you can't just tell them about the equipment and give
18 it to them to take home. You have to go to their home,
19 you have to see what equipment they have, you have to
20 see what they're -- where they're going to put it.
21 They might not even have an outlet to plug it into.
22 They don't know -- they don't have the same wires that

1 you have in your place, so I'm very, very concerned
2 about that last few feet, when you actually get in the
3 door and go in to where their TV is and set it up. And
4 there's nothing in this education so far that addresses
5 that. And for anybody, that is not always -- these
6 boxes look relatively simple and -- but they're not,
7 for everyone.

8 In my area of Northern Virginia, we have
9 200,000 people with hearing loss, something roughly in
10 that area. And that's a lot of families. And some of
11 them are going to be able to handle the switch. But
12 when you add the issue of not having solved all the
13 problems that already exist with captioning, and toss
14 this one into it, it goes nuclear. I am overwhelmed by
15 it.

16 I really think -- and we talked about this in
17 our working group -- that a lot of what's being said --
18 I like the idea of the DTV Coalition. I support its
19 concept. But a lot of the messages that I'm getting
20 are putting it back on consumer organizations like mine
21 to do the work. We don't have the people, and we don't
22 have the money. The money is going to these lovely

1 little PR campaigns, it's not coming to us.

2 CHAIR BERLYN: Some excellent points. I'm
3 not sure what to say that -- other than "Hear. Hear."
4 These are arguments that many of us have made already.

5 Rich?

6 MR. ELLIS: Just to state the obvious, I
7 think everyone around this table thinks more needs to
8 be done, and everyone around this table can't afford to
9 do it. I think the basic problem is, there was not
10 money appropriated up front to handle this, and so,
11 we're all left holding the bag, and we're all doing the
12 best we can. And, unfortunately, the role of this
13 group is to find the little things that didn't get done
14 right, so we spend a lot of time nit-picking stuff. A
15 lot has gone right, but the problem is, this should
16 have been taken care of by the government, and it's
17 been dumped in our laps to figure out.

18 CHAIR BERLYN: Exactly. Exactly.

19 MS. SCHACTER: My concern is that a lot of --
20 having just seen everybody go, one after the other --
21 that there's a lot of duplication of efforts.
22 Everybody has set up a Web site, everybody has a little

1 video or DVD. And, rather than working together and to
2 develop one DVD, one Web site -- I think Gloria had
3 mentioned this -- one phone number -- we've each set
4 that up. And so, you, in a sense, have wasted an
5 enormous amount of money, because that money could have
6 been used, if there was one Web site, one phone number,
7 and everybody worked together, and that money could
8 have been used to, maybe, have -- to actually meet the
9 group's needs and not to pass along the work that has
10 to be done on to grassroots efforts that have no money.
11 And that's my perception. Everybody showed me a video.
12 I'm thinking, didn't the last guy just show me that?
13 Didn't the last one show me the same thing? All have
14 some variation. And this is from a lay consumer. I'm
15 not an expert in the field, so there may be distinctive
16 "for instances," but, to me, it's all the same.

17 CHAIR BERLYN: Julie?

18 MS. KEARNEY: We put a great deal of time and
19 energy into our efforts, and we're all very proud of
20 them. And, I think, as we go along, if we did it the
21 other way, you would probably be saying, "I don't
22 understand. You all have the message. They should all

1 be different." We're always going to have critics, and
2 we all have very thick skin. And it doesn't mean we're
3 going to stop doing the messaging we're doing.

4 The reason we have all done individual
5 efforts is that we all have different constituencies
6 that we reach. The broadcasters are in the best
7 position to know what messaging needs to go to
8 broadcasters. Verizon, cable, are in the best position
9 to know what messages are going to resonate with their
10 members. We know what people who are purchasing
11 electronics need to get. I don't necessarily need Doug
12 and NAB to do my ads for me. And so, that is why you
13 see a multitude of different efforts. And this is -- I
14 think Marcellus had said, "You have X number of people,
15 and then you multiply that by the number of messages
16 that they will be hearing and the number of eyeballs
17 and ears that you will be reaching." So, I don't
18 apologize for the fact that we have done a great deal,
19 individually and collectively, and that we will
20 continue to do that. Certainly, the input that you
21 have about what we're doing, that is helpful, is always
22 good; and what you think we can do better at is also

1 very welcome. Thanks.

2 CHAIR BERLYN: I have Gloria up, unless you
3 have a quick response to Julie.

4 MS. SCHACTER: It's not that I'm trying to be
5 critical of the -- necessarily, what's been done. My
6 concern is, the reality is, not everyone is going to be
7 able to figure out how to take that equipment and do it
8 in their home. It sounds great in theory. But, for
9 the average person who sees electronics -- I mean, I'm
10 sure --

11 MS. KEARNEY: Did you see the demo?

12 MS. SCHACTER: I did. But it's not so easy.
13 It's the same when you buy a cell phone, and you get
14 the cell phone home, and you have to -- they say, "See
15 how easy it is to transfer from one BlackBerry to the
16 other BlackBerry?" It's not so easy. I know. I've
17 tried this recently. It's not so easy. It sounds
18 great to the person who understands it, but for the
19 person like me who's trying to figure out how to
20 upgrade to the new BlackBerry, I've got to now figure
21 out how to make that transition. It's easy to some
22 people. It's not easy to the layperson.

1 MS. KEARNEY: That's why we have lots of
2 messages.

3 CHAIR BERLYN: It might be helpful -- because
4 I think Janice is bringing up some good points --
5 again, it might be helpful for us to think of how we
6 can turn some of this into advice, recommendations to
7 the FCC. "Where can we get them to respond to some of
8 these needs?" is, I think, what we need to think about,
9 of how we can turn this into action.

10 Gloria? And then Ken.

11 MS. TRISTANI: I continue to be very, very
12 concerned that there isn't a centralized phone number
13 with live people, where you can call and get a set of
14 answers to whatever question, whether it's my mother,
15 trying to figure out how to hook up the converter box,
16 or your aunt, trying to figure out, "Do I need a
17 converter box?" And unless I've missed something, most
18 of the campaigns are entirely -- not the messages, but,
19 What do you do? Who do you contact? Do you go online?
20 You go online to order. And the groups we're most
21 concerned about are the ones -- I mean, you know this
22 -- are the ones that don't go online because they're

1 not online. So, I'm very, very concerned that we're
2 not reaching that group and that there isn't a
3 centralized message.

4 And, frankly, there should be one centralized
5 government office. And I know NTIA will say, "Well,
6 they told us, 'Do this part,' and we can't do anything
7 with them." And FCC says, "Well, we have our
8 jurisdiction." But Commissioner Copps said, during the
9 Y2K transition, the White House called him and said,
10 "Work together." And there probably was one number. I
11 mean, I don't know. But you've heard this, and I know
12 you share this concern. And I think we need to
13 advocate for a -- one number. And I don't care who
14 manages it, but -- so that whatever question it is, you
15 can get the answer there and we serve Americans well.

16 CHAIR BERLYN: Julie has a response to that
17 particular point. I'll let you jump in, Julie.

18 MS. KEARNEY: I thought we had a very
19 fruitful discussion in the DTV working group, and we
20 talked about -- I don't know if we discussed specific
21 recommendations here, but imploring to the Commission
22 that we have a couple of commissioners on each side of

1 the aisle in charge of the transition from this
2 perspective. And I think one of the things we would
3 advocate is that the Commission could have more active
4 leadership on getting a single phone number.

5 CHAIR BERLYN: Ken? And then we'll close
6 this discussion.

7 MR. McELDOWNEY: I think -- going back to
8 what both Scott and Ed said -- I think one of the
9 reasons why it would be good to have -- for Debbie or
10 Scott to set up a conference call with NTIA and Ketchum
11 -- is, one, just to sort of share concerns that we
12 have, because I think one of the things -- in terms of
13 the morning presentations, I think what they are doing
14 -- what the different entities are good. It is that
15 the next step isn't being take, or the next step isn't
16 being taken to the extent of where I think it would be
17 really very, very advantageous, in terms of doing it.
18 It needs to be scaled up at the local level. I think,
19 after talking to NTIA and Ketchum, one, hopefully, we
20 can share some of our experiences, in terms of working
21 at the community level. But, based on what they say,
22 we then have, sort of, more information to then come

1 back to make further recommendations to the FCC. If,
2 in fact, Ketchum and NTIA is saying, "No, we do not
3 have any money to be spent at the local level, we don't
4 have money for massive reprints of brochures and
5 distribution of the brochures," we can then come back
6 to the Commission and say, "Look, we really recommend"
7 -- or maybe we could even say, "You should go to
8 Congress."

9 [Laughter.]

10 MR. McELDOWNEY: And I think if you say
11 "should" one time, and then "recommend," then the third
12 one, "we beg you." Because then I think we could say,
13 "Look, there seems to be some limitations, in terms of
14 what Ketchum and NTIA is doing, in terms of at the
15 local level. We recommend that you go to Congress to
16 seek funds to be able to do it and increase educational
17 effort at the local level." So, I really recommend you
18 guys sort of find out who would like to be in on that
19 conference call, and try to set it up in the near
20 future, certainly way before March.

21 CHAIR BERLYN: Okay. I think that has been
22 heard, and I think what we need to do is to continue

1 this whole discussion in the DTV working group, and
2 take all of the points that have been made here, and
3 continue to work on these issues, and set something up
4 with Ketchum in the process of informing us and helping
5 us to make better recommendations to the FCC. That
6 would be, certainly, one activity that we could start
7 with.

8 So, this has been a good discussion, a good
9 follow-up to the morning, and also good work in the
10 working groups.

11 Is there any other new business for the
12 committee to consider today?

13 MR. STEPHENS: Madam Chairman, this is
14 Brandon Stephens, from the Eastern Band of Cherokee
15 Indians. I need to step away. I'm going to disconnect
16 from my phone call. I just have one quick question
17 before I jump off, here.

18 I don't know if you guys have set the next
19 meeting date, and I hate to ask that prematurely before
20 the meeting is over with.

21 CHAIR BERLYN: It is a fine question,
22 Brandon. We don't have dates set for the next -- for

1 next year yet. I know Scott is working on that. I can
2 give you, kind of, an estimate of the timing. We hope
3 to have the next one in March, and then the second one
4 next year in June, and then the third one in November.
5 So, that's the approximate timeframe. But Scott is
6 working on when this room is available and looking at
7 other factors, as well, and those meetings will be set,
8 we hope, as soon as possible.

9 MR. STEPHENS: Thank you. I appreciate it.

10 CHAIR BERLYN: Scott tells me next week is
11 his goal to set the meetings for 2008. Thank you,
12 Brandon, for participating.

13 Okay, hearing no more in our new business
14 section -- Gloria?

15 MS. TRISTANI: I take it you're moving to the
16 public comment?

17 CHAIR BERLYN: Yes. Well, we have the
18 "Future Directions."

19 MS. TRISTANI: I'm not sure where this fits
20 in. You can tell me whether I bring it up now or
21 later, but I wanted to go back to process issues,
22 because I know we have now voted on a recommendation on

1 some process issues. But, while that gets sent to the
2 Commission and absorbed and we get a response, I do
3 want to ask you, specifically, Madam Chairwoman, what
4 can we do about getting the Web site updated, up to
5 date, so that it reflects the work we're doing? That
6 is one.

7 And then, the other was to see if, at our
8 next meeting, which we hope will be in March, whether
9 we could have representatives from specific bureaus be
10 here and perhaps even give us some briefings or be able
11 to answers questions about some of the proceedings that
12 we're concerned about, because I think that would be
13 very helpful and educational for them and for us.

14 CHAIR BERLYN: Let me answer your second
15 question first. Scott and I always work on the agenda
16 about -- what? -- about a month or so in advance of the
17 meeting. It has to go in the Federal Register how many
18 days in advance?

19 MR. MARSHALL: We work on the agenda,
20 starting about 6 weeks out, because the action items,
21 the things that you're going to be voting on, the
22 general nature of them, not the actual specific text,

1 needs to be put in the Federal Register because of the
2 Federal Advisory Committee Act requirements. And it
3 has to be published 15 days before you all meet. So,
4 that is why it is kind of a long process to get that
5 done. But, yeah, that is the answer to the question.
6 We're about 6 weeks out.

7 CHAIR BERLYN: The reason I wanted to get
8 that schedule out there is because working groups, as
9 you consider issues and you recognize, perhaps as the
10 broadband group mentioned before, that you might want
11 to have someone talk about a particular proceeding or
12 issue, that if you could let me know at least 6 weeks
13 in advance what you would like to have on the agenda,
14 who you might want to hear from --

15 MS. TRISTANI: Is that something necessarily
16 to be voted on?

17 MR. MARSHALL: The subject stuff doesn't have
18 to be put in the Federal Register, what -- the speakers
19 and all that sort of stuff, just the action items.

20 CHAIR BERLYN: But if we can start that
21 process at the same time, then we have the lead time to
22 make that happen.

1 MS. TRISTANI: So, the chair of the working
2 groups should be thinking about that.

3 CHAIR BERLYN: Yes, or topics, people they
4 want to hear from, panels, topics, whatever. Send that
5 to us, and we'll develop the agenda.

6 MS. TRISTANI: And I picked on broadband,
7 because that seemed the easiest one, broadband
8 definition, broadband this, broadband that.

9 MR. MARSHALL: Even if it doesn't come to
10 fruition, the recommendation that you think you might
11 be doing, tell us, anyway, so that we can put it in the
12 Register just to cover, just in case you are able to
13 get it finalized. We can always take something off the
14 agenda. We can't put something on the agenda that is
15 an action item, a week before a meeting.

16 MS. TRISTANI: I understand. And I'm sure
17 you want to get to updating --

18 CHAIR BERLYN: Is your second point updating
19 the Web site? I'm going to turn to Scott to respond to
20 that. I'm sure there is someone here at the FCC --

21 MR. MARSHALL: That's an ongoing issue. The
22 good news is this. And I trust that it will be good

1 news. Thomas and I, after this meeting, are supposed
2 to get together to talk about the details of updating
3 the Web site. I want to do a complete revamp. And I
4 suspect that conversation would occur, not this week,
5 but the following week, since I'm doing a report to GSA
6 -- the annual report to GSA on this committee is due on
7 the 9th, so my goal, again, is to have that
8 conversation the week after next, and to put all that
9 is necessary into doing that and getting that moved.
10 All that having been said, if you all would like to
11 endorse that idea, that is probably a good idea. And,
12 in fact you already have, in the recommendation that
13 you just reaffirmed.

14 CHAIR BERLYN: Yes, it is in the
15 recommendations from the last CAC, and it's now in the
16 recommendations for the next CAC.

17 MR. MARSHALL: That's great.

18 CHAIR BERLYN: So, Scott, do you want anyone
19 to provide you with any additional information?

20 MR. MARSHALL: I'm sorry, what was the
21 question? I was distracted -- which happens all the
22 time.

1 CHAIR BERLYN: Do you want any additional
2 input from the CAC, in terms of the Web site and if
3 someone does have particular thoughts?

4 MR. MARSHALL: Absolutely. Always, always.
5 I think I've heard the discussions, both today and
6 previously, and conversations with you individually,
7 but, no, it's always welcome, to have that information.

8 CHAIR BERLYN: Thanks, Scott.

9 Okay. We are now ahead of schedule. How
10 about that?

11 MR. MARSHALL: Future directions?

12 CHAIR BERLYN: I think we've already touched
13 on some of those. I mean, I wanted to talk about the
14 process of getting items on the agenda and input from
15 the working groups. Was there anything else -- and the
16 next meetings -- was there anything else that you had,
17 Scott, in terms of future?

18 MR. MARSHALL: No. I actually wanted to hear
19 from folks if there was anything.

20 CHAIR BERLYN: Do you have your card up, Ken?

21 MR. McELDOWNEY: I guess one of the things
22 that I would like to see -- and I think that the FCC

1 workshop brought together the industry and also a lot
2 of consumer groups and community groups, in terms of
3 educational efforts for DTV transition, I think, was
4 very good. This morning, we sort of just heard from
5 the industry side. I'm thinking what might be good at,
6 maybe March, even though it is a little late, would be
7 to have almost like a working session, so that someone
8 from Ketchum, someone from NTIA, and maybe a couple of
9 outside folks, maybe folks from around the table, to
10 sort of talk about sort of a -- community-based
11 educational efforts, what is needed, in terms of
12 reaching the different communities, but, as opposed to,
13 like, PowerPoints and speeches. It would be more sort
14 of an informal thing, maybe spending a couple of hours
15 just in terms of trying to explore the different
16 possibilities and things like that. I just think that
17 would very useful, and it would probably be -- it
18 wouldn't be confrontational, it would be sort of more,
19 I think, brainstorming and sort of sharing resources.

20 And then, I think, also out of that, again I
21 think that would also be helpful in terms of further
22 recommendations to the FCC. I'm going to throw that

1 into everything now, Scott.

2 MR. MARSHALL: But I have an idea -- I don't
3 know if it's worth anything or not, and you all will
4 tell me -- you know, we have previously done sort of
5 what you're talking about, not outside the agency, but
6 we have had people come in to talk to the working
7 groups as you develop recommendations, and that might
8 be a way of getting around this idea -- and, Lord
9 strike me down if I'm violating a Federal law here
10 right now -- but that might be a way of sort of getting
11 around the issue of the whole committee giving an
12 outside agency advice. If you could do some
13 factfinding and discussion at the working group level
14 with some of these people that you want to talk to,
15 then you would have the information to inform a
16 recommendation that you would make to this full
17 committee that then the full committee could pass on to
18 the FCC. Does that sound like a good idea? Was that
19 clear?

20 MR. McELDOWNNEY: What you're saying is that,
21 procedurally, you would feel better if it was a working
22 group meeting with Ketchum and NTIA, as opposed to the

1 full committee.

2 MR. MARSHALL: For a factfinding sort of
3 exercise.

4 MR. McELDOWNEY: How was this morning not a
5 factfinding exercise?

6 MR. MARSHALL: Well, what you were just
7 talking about a minute ago, Ken, was really being able
8 to give them advice and feedback about what,
9 specifically, they should be doing, correct?

10 MR. McELDOWNEY: But weren't we doing that
11 this morning?

12 MR. MARSHALL: Not at the same level that
13 you're talking about, I don't think. I mean, you were
14 asking questions, and we were reacting to the
15 presentations. But, unless I'm wrong, what you're
16 talking about is a lot more involved, in terms of
17 providing them advice and specifics.

18 MR. McELDOWNEY: I guess one last thing.
19 Maybe one of the things we could do, then, if you would
20 feel more comfortable doing that, is maybe have the
21 first two hours of the next meeting be the DTV
22 workshop, which anyone could come to who wanted to, and

1 also have NTIA and Ketchum there. And then the formal
2 session would start later. It seems silly to have to
3 do it that way, but if, in fact, you feel more
4 comfortable doing it that way, I guess that's something
5 to do.

6 MR. MARSHALL: I can certainly take it back
7 to our general counsel and ask the question whether
8 they would be comfortable with what you're suggesting.
9 I'm reacting, I think, appropriately with the way they
10 would see it. They would say anytime the full
11 committee gets together and starts giving advice, it
12 better be advice to the Commission, rather than to an
13 outside organization, and that if you're doing a
14 detailed level of advice-giving, that that's more in
15 the nature of a full-committee action and not what you
16 would be normally doing in a working group.

17 CHAIR BERLYN: Gloria, do you want to quickly
18 offer some thought on this?

19 MS. TRISTANI: No.

20 And, Scott, please, I know you're trying to
21 do the law perfectly, et cetera, but I am confused,
22 because if it is us interacting with NTIA, over which

1 we have no jurisdiction, I don't see how we would be
2 violating anything, short of -- or having a talk with
3 them just like we have, this morning, sort of, and they
4 can -- they didn't respond very much, as far as I'm
5 concerned, but that's another issue.

6 I'd love to hear counsel. Maybe we need
7 another briefing by counsel. Actually, I would like to
8 request that formally, if we could have a briefing by
9 OGC, because I want to make sure that I'm not talking
10 out of school, because I understand if it were related
11 to advising the FCC, that there are very clear
12 guidelines on notice, et cetera, but if it's talking to
13 NTIA, I don't see how that applies.

14 MR. MARSHALL: We can get their advice on
15 that. And I think what I'm reacting to is the whole
16 notion of -- this committee is chartered to give advice
17 to the FCC and not to give advice to the NTIA.

18 MS. TRISTANI: I don't dispute that, but NTIA
19 is integral to what we're trying to give advice to the
20 FCC and what we're all trying to do.

21 MR. MARSHALL: I certainly can get some
22 clarity on that. And if I'm looking at the tea leaves

1 too conservatively, I apologize.

2 CHAIR BERLYN: Well, let's see if we kind of
3 move this. My only concern is waiting until March to
4 hear from the general counsel.

5 MS. TRISTANI: Could we have a phone
6 conference?

7 CHAIR BERLYN: Why can't we just direct Scott
8 to answer the question of what we can do with NTIA and
9 Ketchum? Can it simply be factfinding? Can it be
10 factfinding within the formal process of our CAC
11 meeting? Does it need to be less formal? I don't
12 think we're looking to give advice to the NTIA, per se,
13 but -- individually, I'm sure, many organizations will,
14 but as a CAC, I think what we're looking for is more
15 information about what they are doing and how that is
16 integrated to what the FCC is doing that will help
17 inform our advice.

18 MR. MARSHALL: I will absolutely do that, and
19 I'll do it right away. I'll attend to that next week,
20 assuming that my contact in OGC is available, and all
21 that kind of good stuff.

22 CHAIR BERLYN: Great.

1 MR. ISETT: On a follow-on to that, would
2 there be anything that would prohibit individual
3 members of the committee, either individually or
4 somewhat in concert with each other -- because a lot of
5 these groups are groups that we work with on other
6 issues outside of the CAC --

7 CHAIR BERLYN: Not at all.

8 MR. ISETT: If people wanted to do that and
9 say, "We, the undersigned, wish to ask these
10 questions," there wouldn't be any prohibition on that?

11 MR. MARSHALL: Not at all. That won't be a
12 problem.

13 MR. ISETT: I just wanted to clarify that.

14 CHAIR BERLYN: Doug?

15 MR. WILEY: I just want to clarify one thing.
16 Do you all -- that I got word on this, that -- and this
17 is not to say it's not important to get all of the
18 information to all of the people, as much as we
19 possibly can, but I'm told that speaking out a phone
20 number, an 800 number in a 15- or 30-second spot is
21 potentially a severe limitation on the creative aspect
22 of the ad. That's the problem with it.

1 MS. CRAWFORD: Thank you very much for that
2 information. I really appreciate it.

3 MR. WILEY: That wasn't a definitive
4 statement. Let's stay calm, okay?

5 MS. CRAWFORD: I think that -- I think that
6 you can deal with it. I think that the PR firms making
7 these advertisements can deal with it appropriately, so
8 that all the information that is important in that
9 advertisement is, in fact, accessible to everybody.

10 CHAIR BERLYN: Well said.

11 Yes, Janice?

12 MS. SCHACTER: A comment. Any advertising
13 agency that tells you that, then you have to tell them
14 they may be the wrong advertising agency and they need
15 to be more creative. I mean, not to be facetious, but,
16 frankly, there's a clever way of coming up with a
17 shorter, less-dialogue ad that gives the information.

18 MR. WILEY: I indicated there was no reason
19 to respond.

20 MS. SCHACTER: I felt I had to.

21 MR. WILEY: Gotcha. You guys can run your
22 own ads, too.

1 MS. SCHACTER: We don't have the money. Just
2 for the record, I work 100 percent for free, pro bono,
3 for 5 and a half years, so we're already, on my end, as
4 negative in money as possible. There is no money. You
5 took a -- each hearing-loss organization runs on a
6 minimal budget. There's not even money to pay my
7 airfare to come here from New York. We have to rely on
8 the FCC to pay for that.

9 MR. WILEY: We can talk about 800 numbers on
10 ads, and I understand.

11 CHAIR BERLYN: Let's see, how do we move
12 forward here?

13 Thank you all. We've talked about, I think,
14 everything except for our public comment period, which
15 we now start and ask the question, If there is anyone
16 in the room who wants to offer any comments, if there
17 is anyone -- in front, behind, to the side that I can't
18 see -- is there anyone in the room who wants to offer
19 any public comment?

20 [No response.]

21 CHAIR BERLYN: Seeing none, do I have a
22 motion to adjourn?

1 MS. TRISTANI: I so move.

2 MS. SCHACTER: Second.

3 CHAIR BERLYN: All in favor?

4 [A chorus of ayes.]

5 CHAIR BERLYN: Thank you all for attending.

6 Leave your tent card and badge right on the table.

7 [Whereupon, at 3:45 p.m., the meeting was
8 adjourned.]

9

10

11

12

13

14

15

16

17

18

19

20

21

22