



NEWS

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action.
See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

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FCC TAKES FOUR ACTIONS TO IMPLEMENT SATELLITE TELEVISION EXTENSION AND LOCALISM ACT (STELA)

Washington, D.C.: The Federal Communications Commission today issued three Reports and Orders and a Public Notice to implement the new statutory requirements in the Satellite Television Extension and Localism Act (STELA). One of the Orders provides greater flexibility and choice for satellite subscribers to receive television stations from nearby markets. The remaining Orders update the procedures for subscribers to qualify for satellite-delivered distant television stations if they are not able to get local stations. The last action, a Public Notice, requests comments and data for a report to Congress on the availability of in-state broadcast stations.

“Significantly Viewed” Rules

The Commission’s revised significantly viewed (SV) rules improve parity and competition between satellite and cable operators and give satellite subscribers greater choice of programming, including access to the same locally oriented programming as their cable-subscribing neighbors.

Specifically, the Report and Order eliminates a previous requirement that satellite subscribers receive via satellite the local in-market station affiliated with a particular network in order to be eligible to receive an out-of-market SV station affiliated with the same network. Going forward, satellite subscribers simply must receive their carrier’s local-into-local service package. The new rules also eliminate the requirement that satellite carriers devote “equivalent bandwidth” to the carriage of the local in-market station as compared to the out-of-market SV station. A satellite carrier may now retransmit an SV station in High Definition (HD) format as long as the satellite carrier also retransmits the local station affiliated with the same network in HD if the local station makes the HD format available to the satellite carrier.

Signal Prediction and Measurement Rules

The two distant signal Reports and Orders provide procedures for predicting and measuring the strength of a digital broadcast television (DTV) signal at any specific location. These procedures are available to subscribers in markets in which the satellite-delivered package of local stations is not available. These procedures are used to determine if a satellite subscriber is eligible to receive distant network stations via satellite. To be eligible, a subscriber must be “unserved” by local stations affiliated with the same network.

The Commission adopted a point-to-point predictive model for determining the ability of individual locations to receive an over-the-air digital television broadcast signal at the intensity level needed for service through the use of an antenna. The new digital Individual Location Longley-Rice (ILLR) model will be used to determine whether individual households are eligible to receive the signals of distant network-affiliated digital television stations from their satellite carrier, including TV translator and low power television stations. The ILLR model will help make these determinations in a timely and cost effective manner.

In addition, the Commission amended its signal strength measurement procedures to apply to digital television signals. These procedures are used if an individual disputes the signal strength predicted by the digital ILLR model. The actual measurement determines whether the household is eligible to receive distant network signals retransmitted by satellite carriers.

Both the predictive model and the measurement rules rely on proven methods for measuring analog television signal strength at individual locations, but include modifications to accommodate the inherent differences between analog and digital TV signals. As required in STELA, the new rules apply only to stations located in the same designated market areas (DMAs) as the household.

To allow for continued refinement of the predictive model, the Commission has also requested comment in a Further Notice of Proposed Rulemaking on possible modifications to the digital ILLR model to improve its predictive accuracy.

"In-State" Broadcasting Public Notice

STELA requires the Commission to submit a report on in-state broadcast programming to the appropriate Congressional committees by August 27, 2011. The Media Bureau's Public Notice seeks comment and data for use in preparing this report. The report will: (1) analyze the number of households in a State that receive the signals of local broadcast stations assigned to a community of license located in a different State; (2) evaluate the extent to which consumers in each local market have access to in-state broadcast programming over-the-air or from a multichannel video programming distributor; and (3) consider whether there are alternatives to DMAs to define "local" markets that would provide consumers with more in-state broadcast programming.

The Public Notice seeks comment regarding the appropriate methodologies, metrics, data sources, and level of granularity that the Commission should use for its report to Congress. In addition, the Public Notice requests data for use in preparation of the report.

Action by the Commission, November 22, 2010, by Report and Order and Order on Reconsideration (FCC 10-193) in MB Docket Nos. 10-148 and 05-49. Chairman Genachowski, Commissioners Copps, McDowell, Clyburn, and Baker.

Action by the Commission, November 22, 2010, by Report and Order and Further Notice of Proposed Rulemaking (FCC 10-194) in ET Docket No. 10-152. Chairman Genachowski, Commissioners Copps, McDowell, Clyburn, and Baker.

Action by the Commission, November 22, 2010, by Report and Order (FCC 10-195) in ET Docket No. 06-94. Chairman Genachowski, Commissioners Copps, McDowell, Clyburn, and Baker.

Media Bureau Seeks Comment for Report Required by the Satellite Television Extension and Localism Act on In-State Broadcasting, Public Notice, DA 10-2227, MB Docket 10-238 (MB Nov. 23, 2010).

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