

**STATEMENT OF
COMMISSIONER ROBERT M. McDOWELL**

RE: Amendment of Parts 73 and 74 of the Commission's Rules to Establish Rules for Replacement Digital Low Power Television Translator Stations (MB Docket No. 08-253)

I support this new rulemaking as another potential means of helping consumers who may find themselves without over-the-air access to one or more of their favorite broadcast stations after February 17, 2009, the nation's digital television transition deadline. Like the rules we adopted in November 2008 for Distributed Transmission System ("DTS") technology, these proposed rules for establishing a new DTV "replacement" translator service could assist television broadcasters in overcoming two types of technical issues that may limit the reach of their over-the-air digital signals. First, new translator facilities may help TV broadcasters solve a "digital cliff" problem, *i.e.*, the abrupt loss of the signal due to interference within their authorized DTV service area. Second, those broadcasters whose digital signals are designed to cover a smaller territory than their old analog signals might use these new DTV translators to push their signals out to regain lost ground.

It remains to be seen, however, just how feasible – both technically and financially – this new TV translator service may be. For example, in contrast to DTS technology which operates on the same frequency as the broadcaster's existing TV station, the proposed TV translators must use different frequencies. How much room, particularly in big-city markets, will there be for such new facilities? And what effect, if any, would the new TV translator service have on the future use of "white spaces" for other wireless services? From the financial perspective, some posit that the proposed DTV replacement service is a more economically attractive option than DTS. Even if that is so, are financially strapped broadcasters today going to spend their money on these new facilities when it is tough enough to keep the core service going? I look forward to reviewing comments on these questions and the many others posed in the Notice.

No matter how this rulemaking ends, it will not resolve all DTV coverage problems by February 17. Those issues have been troubling to me for awhile. During my DTV outreach trips, I have made a special point of urging each local TV station to educate its own audience *now* about any known technical issues that may deprive some viewers of access to a good over-the-air signal after the transition. Whether a broadcaster chose to contract its DTV signal or was forced by technical circumstances to do so, I believe that the station's public interest obligation includes informing its local audience, directly and plainly, about any predicted loss of over-the-air service.

And all broadcasters need to keep up – and, in fact, step up – the pace to educate and assist the approximately 12 percent of the nation's households that rely solely on rabbit-ear or rooftop antennas to obtain television service. It is these viewers who most concern me now. There are some hopeful developments on this front. Recent NTIA statistics show that a growing number of Americans are applying for the government coupons to help subsidize the purchase of DTV converter boxes that will keep analog sets operating after February 17. TV broadcasters in many markets are jointly running "soft tests" in their communities to warn consumers with analog sets about the need to take action. I hope that stations continue to run such tests, and that they do so for increasingly longer intervals to make sure that the message gets heard. I continue to encourage broadcasters in each market to band together to operate local phone banks and work with third-party groups to assist those who need help installing converter boxes or adjusting antennas. I also applaud NAB for recently announcing the establishment of a nationwide hotline to answer consumer calls about the transition. And I'm pleased that Congress has passed the SAFER Act – the so-called "DTV Analog Nightlight" legislation – that will allow broadcasters to continue to provide DTV education and public safety information in analog format for 30 days after the transition deadline.

Despite these signs of progress, it appears likely that the DTV transition will be messy for those who, by choice or circumstance, must depend on converter boxes to keep TV service in their homes. For that reason, I strongly encourage everyone to join the government and industry to help those most at risk of being left behind when the change comes: the elderly, the infirm, low-income individuals, and non-English speakers. People should not wait until February 17 to help themselves and their neighbors, friends, and family get ready for DTV. I particularly urge those who don't need the government subsidy not to wait on that process before purchasing a converter box for themselves or as a gift for someone else. During the weeks it takes for the government to process coupon requests, you will lose precious time to hook up the box, check antenna connections, and start enjoying free digital broadcast TV right away.