

**CONCURRING STATEMENT OF
COMMISSIONER MICHAEL J. COPPS**

Re: DTV Consumer Education Initiative, MB Docket 07-148

Today's Order finally adopts many of the suggestions made nine months ago by Chairmen Dingell and Markey regarding steps the Commission could take on its own authority to compel industry DTV consumer education efforts. Unfortunately, one of the most important steps is not something the Commission can compel—the establishment of a federal Inter-Agency Task Force to oversee and coordinate the government's efforts. That is why Chairman Inouye and Chairman Dingell's recent call for the White House to establish just such a Task Force is so critical. We need accountability and clear lines of authority, both among federal agencies and in government's dealings with industry. That was the way the "Y2K" problem was addressed leading up to 2000. I actively participated in those efforts as Assistant Secretary of Commerce—I know what a coordinated, well-organized and effective national effort looks like. It doesn't look like this.

This transition actually requires more of individual consumers than did Y2K. The DTV transition requires millions of households (no one really knows how many) to take significant action prior to the transition date. Consumers must not only become aware of the transition; they have to understand whether and how it affects them, decide among various course of action, take affirmative steps such as applying for government coupons and purchasing a converter box, and physically install the new equipment and make it work. These challenges are compounded by the fact that many of the consumers most affected by the transition may be harder to reach or less technically savvy. Our efforts must be designed to reach the most vulnerable. If we happen to over-inform some consumers in the process, it is a small price to pay. We will never get this exactly right. We can either do too little or do too much. If we are smart, we will err on the side of doing too much.

The other thing we must do is tell consumers the truth. The American people do not want their information sugar-coated by marketing consultants or hedged into obscurity by cautious lawyers. They want it straight, and they will forgive anything other than being lulled into a false sense that the transition will be less disruptive than it turns out to be.

I wish today's item gave me more comfort that we are doing everything we can to prepare the American people for the approaching deadline. As I've said before, the best way to reach analog television viewers is through analog television programming. Broadcasters' on-air efforts are thus the linchpin of a successful transition.

Which brings me to the National Association of Broadcasters' "safe harbor" proposal. The premise of this proposal is that the Commission should step back and let the experts handle it. The NAB cites its extensive marketing experience as well as its hiring of Starcom MediaVest Group to help develop a plan "to engage consumers across

numerous media elements.” Starcom evaluated the DTV campaign using its exclusive “state-of-the-art television optimizer” named Tardiis, which “harnesses the power of viewing at the program level to provide optimized schedules for individual brands, as well as allocating programs across multiple products.” The end result, according to NAB, is that “we will generate public awareness of the DTV transition in the form of over 132 billion impressions.”

I readily admit that much of this marketing jargon is Greek to me. I would not know a state-of-the-art television optimizer if I tripped over one. But I am concerned about the apparent focus on creating consumer awareness through billions of “impressions.” The goal is not simply to bombard consumers with ephemeral “impressions” about the transition, but to get consumers to *act* in ways that many will find confusing, disruptive and daunting. Indeed, a recent survey by the *Consumer Reports National Research Center* found that even among the growing number of consumers who are aware of the transition, 74% still have “major misconceptions” about the how the conversion will affect them. In other words, in order for the transition to succeed, awareness must be followed by understanding, planning and, ultimately, effective action. I can only hope that the implementation of the NAB plan will reflect the true scope of the task before us.

I know that many broadcasters are working diligently on the DTV transition. They are expending money and human resources to make it happen. But good intentions won’t get us from here to there, nor will spending money in helter-skelter fashion. A national challenge of this magnitude requires cooperation and coordination. Some broadcasters have told me that, yes, they are launching consumer education programs but, no, they haven’t coordinated their efforts with other stations in their market. That’s a recipe for continued confusion and for leaving some consumers behind. So I continue to believe that a coordinated, private sector-public sector partnership is absolutely essential—it may just be our last best hope for something resembling a smooth DTV transition.

I concur to get some action started. But I limit myself to concurrence for want of what is truly needed.