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Federal Communications Commission
1919 M St., N.W.
Washington, D.C. 20554

December 2, 1997

FCC SEEKS COMMENT ON FILINGS ADDRESSING DIGITAL TV ALLOTMENTS (MM Docket No. 87-268)

By the Chief, Office of Engineering and Technology:

1. On November 20, 1997, the Association for Maximum Service Broadcasters, Inc. and other broadcasters (MSTV) submitted an *ex parte* filing that presents suggestions for addressing two issues relating to the Table of Allotments for digital television (DTV) that was adopted in the Sixth Report and Order in this proceeding.¹ The first of these issues concerns DTV-to-DTV adjacent channel assignments. The second concerns assignments in the most congested areas of the country -- the Northeast, Great Lakes region, and California coastal area. MSTV's filing suggests making 357 changes to the DTV Table in the continental United States. It asserts that these changes would reduce interference to both analog and digital TV service in the congested areas and cure the short-spacing of a large number of the cases of DTV-to-DTV adjacent channels. MSTV suggestions include the use of an additional 32 allotments in channels 60-69 in the continental U.S. It states, however, that these additional allotments in channels 60-69 would have little impact on the availability of spectrum for public safety services. MSTV also submits that there are other station-specific problems that this filing does not address.

1. On November 25, 1997, the Association of Local Television Stations, Inc. (ALTV) submitted a proposal, by letter, for addressing the disparity in the authorized power between the DTV channels of existing UHF stations that will operate on UHF DTV channels (U-to-U stations) and the DTV channels of existing VHF that will operate on UHF channels. ALTV's proposal would permit DTV stations to increase power to 1000 kW, provided tilt-beam antennas and/or other technologies are employed to prevent any incremental visible interference. ALTV submits that this proposal would not result in any increased interference above those levels that would exist under any DTV channel plan the Commission ultimately adopts. It further states that this proposal does not seek changes in channel assignments. ALTV's proposal does contain a plan for resolving interference disputes. It asks that we consider this proposal as one way to help resolve the UHF-DTV power issue.

¹ See Sixth Report and Order in MM Docket No. 87-268, adopted April 3, 1997, FCC 97-115 (released April 21, 1997).

2. As MSTV noted in its submission, we have provided six separate opportunities for interested parties to respond to the Sixth Report and Order and petitions for reconsideration thereof. The last date for submitting responses to issues addressing petitions for reconsideration of this decision was October 8, 1997.² We therefore already have provided opportunities for parties, such as MSTV and ALTV, to offer timely suggestions with regard to the matters addressed in its current filing. In the interests of developing a full and complete record, however, we are providing a single, brief fifteen (15) day period for parties to respond to these submissions. We request comment on whether the proposals set forth in these filings by MSTV and ALTV represent full industry agreements. With regard to MSTV's filing, we seek comment on whether the issues raised by MSTV are more appropriately handled on an individual case-by-case basis or through a new Table. We also seek comment from public safety and other land mobile interests regarding MSTV's assertion that additional use of channels 60-69 would not impact use of these frequencies by public safety services. Parties are specifically requested to address whether such changes would be consistent with our obligations to reallocate those channels and license new services on them pursuant to the Balanced Budget Act of 1997, Pub. L. 105-33, 111 Stat. 251 (1997). With regard to the ALTV filing, we request comment on how such an antenna beam tilt approach would relate to other solutions for resolving the UHF power problem.

3. It is our intention that these filings not delay our resolution of the petitions for reconsideration of the Sixth Report and Order or the implementation of DTV service to the public. In this regard, we do not intend to grant any extensions of time for filing responses. Accordingly, parties may submit responses to the *ex parte* filings of ALTV and MSTV on or before December 17, 1997.

FEDERAL COMMUNICATIONS COMMISSION

Richard M. Smith
Chief,
Office of Engineering and Technology

² Replies to oppositions/comments in response to supplemental filings relating to the petitions for rule making were due October 8, 1997.