

FCC Open Commission Meeting
on Digital Television Transition
June 3, 2009

Panel 1:
**FCC and NTIA Reports on the Status of the DTV Transition and
Prospects for June 12, 2009**

Eloise Gore
Associate Bureau Chief, Media Bureau

Good morning Mr. Chairman and Commissioners.

At the last DTV status report to the Commission, on March 5th, we described the lessons learned from the partial transition on February 17, 2009, and the next steps for implementing the DTV Delay Act. On March 13, 2009, the Commission adopted and released the Third Report and Order to complete the regulatory steps associated with the delay in the transition deadline. In particular, we established the procedures for stations that wanted to terminate analog service before the deadline and revised our consumer education requirements to reflect both the change in date and the topics of most importance to educating viewers, including information about potential loss of signals for some viewers. I appreciate the opportunity to speak with you today about our status as we count down the last 9 days to June 12th.

First, some numbers. (And a caveat that numbers are dynamic as stations change their circumstances.) Although stations were permitted to terminate their analog service before the upcoming June 12th deadline, most stations chose to continue broadcasting in analog until the deadline. To date, 784 stations have terminated their analog service, 6 more will terminate between now and June 12, and 21 stations were always digital-only. Eighteen markets, including Guam, have fully transitioned.¹

¹ Burlington-Plattsburgh, Charlottesville, Greenwood-Greenville, Guam, Honolulu, La Crosse-Eau Claire, North Platte, Parkersburg, Providence-New Bedford, Rockford, San Angelo, Santa Barbara, South Bend-Elkhart, Springfield-Holyoke, Wheeling-Steubenville, Wichita Falls & Lawton, Wilmington, and Zanesville.

Thus, on June 12th, the remaining 974 full power stations will terminate regular analog programming. (Ninety-nine stations will continue to broadcast an analog signal to provide analog nightlight service for their viewers. More about them in a moment.)

The Commission allowed stations to choose the time of day on June 12th when they would end their regular analog broadcasting and notify us of the day part. They chose as follows:

175 between midnight and 6 am;

200 between 6 am and noon

152 between noon and 6 pm

And 447 between 6 pm and 11:59:59 pm.

Unfortunately, there are 35 stations that are expected to be dark for some period of time after June 12th; 12 of which are not currently broadcasting an analog signal. Seven are affiliates of a major network. Eighteen of the stations will be dark due to financial difficulties, 17 of which were owned by a company that filed for bankruptcy. The other 17 stations will be dark due equipment or other temporary delays but should be in digital operation before the end of the year, some of them much sooner. We are working with all of these stations in an effort to reduce the number that will be dark and the length of time they will be off the air. We understand that some of the stations will be available to their viewers on a subchannel of another digital station serving the area. And we are making sure that our Call Center operators and outreach staff are aware of the status of these stations so that they can better assist viewers asking about them. The list of 35 stations is attached to this Presentation.

Finally, we want to thank the ninety-nine stations that have volunteered thus far to provide “nightlight” service for up to 30 days after June 12th. The statutory nightlight was enacted last December in the Short-term Analog Flash and Emergency Readiness Act. The Act permits stations to keep their analog signal on for up to 30 days following the end of the transition solely for the purpose of providing emergency and DTV transition information. Stations operating in analog on channels 2 through 51 are eligible to participate in the program, provided they are not moving to their analog channel for digital service and would not cause harmful interference to other digital television signals. The Nightlight will provide critical information for any viewers who do not have or have not installed the necessary equipment to receive digital broadcasts by the transition deadline.

The Commission adopted and released the *Analog Nightlight Order* implementing the Analog Nightlight Act on January 15, 2009 in anticipation of the February 17th deadline. After the DTV Delay Act changed the deadline, the Commission concluded that the 30-day period applicable to the analog nightlight program applies following the new June 12th transition deadline and, therefore, will run from and including June 13 through July 12, 2009.

On May 13, 2009, the Media Bureau released a public notice outlining the statutory Analog Nightlight program and including a list of the stations that are eligible to

participate. The public notice encouraged eligible stations to volunteer to provide the nightlight and described the procedures by which they may notify us of their participation.

The Commission recognizes that there are significant costs associated with continuing to operate analog transmission equipment after June 12th, and we commend the 99 stations agreeing to provide this important service for their viewers. Thanks to these broadcasters, 64 markets will have at least one Nightlight station, including 41 of the 49 target “hot spot” markets. More than 69 percent of TV households in markets that have not yet transitioned will have nightlight service in the market. Over half of the stations volunteering have committed to providing Nightlight service for the full 30 days; the others will provide the service for at least 14 days. We plan to issue the list of Nightlight stations early next week so that we can give additional stations an opportunity to volunteer before we publish the list. I also want to thank David Donovan from MSTV for his extraordinary assistance with the process of identifying willing participants.

The actions taken by the Commission and by the broadcasters, including their consumer education efforts, are contributing to a smooth and orderly transition for consumers. In the areas where stations have already transitioned, we found that the continued presence of analog service from at least one major network affiliate worked well for consumers and gave stations needed flexibility. Similarly, we believe that the presence of the Analog Nightlight after June 12th will provide crucial information to viewers about the steps they may still need to take and where to turn for assistance. The availability of critical warnings and guidance in the event of an emergency will also assist any viewers who have not obtained or successfully installed the necessary equipment. We urge other eligible stations that have not yet volunteered to provide nightlight service to their viewers to sign up now to provide this important service.

Thank you for giving me the opportunity to provide this brief status report on behalf of the Media Bureau. We still have more ahead of us, and we very much appreciate your support.