

## Sides agree on DTV transition requirement

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Television and cable-industry insiders have told Congress they are firmly committed to Dec. 31, 2008, as the cutoff date to end TV analog broadcasts, but the two groups are wrangling over a proposed digital must-carry rule -- which might push back the date. "Broadcasters want to ensure that all of their signals are seen by as many viewers as possible," said Sen. Ted Stevens, R-Alaska, chairman to the Senate Commerce, Science and Transportation Committee, which held hearings Tuesday on the TV-formatting issue. "Cable wants time to proceed with their own digital transition and doesn't want to have to immediately deploy cable converter boxes to all of their analog subscribers."

Stevens said his committee's consensus is to "balance broadcast, cable and satellite interests with regard to digital and analog carriage after the analog broadcasts cease."

Local governments needs cable operators and local television stations to put aside their competing interests and speed up the process of converting analog technology to digital technology, thus freeing up the radio-frequency spectrum for other uses.

The increased free space on the 700 megahertz band will give public-safety first responders clear and open channels to communicate with one another and with medical facilities. "Broadcasters accept that Congress will implement a 2009 hard date for the end of analog broadcasts," said Edward O. Fritts, president and chief executive officer of the National Association of Broadcasters.

After that transition, however, Fritts told senators, "if you are a cable subscriber with both analog and digital sets in you house, you will want your analog sets to work in analog ...and your digital sets to work in digital. Consumers should be empowered to make the choice about which signal to receive -- not the cable gatekeeper." The broadcasters are hoping for a congressional mandate that requires cable operators to carry local multicast programming streams, but the cable companies are balking at the prospect.

"The cable industry has taken no formal position on a 'hard date' for the broadcasters' return of the analog spectrum, (but) we understand and applaud your committee's leadership in grappling with the important polices in the return of that spectrum," said Kyle McSlarrow, president and CEO of the National Cable & Telecommunications Association.

"Broadcasters are not the only ones in America making the transition to digital, and they should not be given preferential treatment in a competitive marketplace -- especially by government mandate," McSlarrow said. Under Federal Communications Commission guidelines, the analog spectrum would return to public use in December 2006, or when 85 percent of American households acquire digital TV equipment -- whichever is later. Last year, however, Michael Powell, the former FCC chairman, informed lawmakers that the 85-percent market penetration would take decades to achieve, thus holding up the DTV transition. There are "roughly 20 million homes that are not connected to cable or satellite," Fritts said, adding that 73 million television sets remain unwired in the United States.

"It took color TV 20 years to hit 85 percent market penetration and the VCR 16 years to reach that penetration," said Sen. John McCain, R-Ariz., during the hearing. "The problem is we don't have another 20 years to wait."

Last month McCain and Sen. Joseph Lieberman, D-Conn., introduced the Spectrum Availability for Emergency-Response and Law-Enforcement to Improve Vital Emergency Services Act, which established Dec. 31, 2008, as the transition-to-DTV date, but absent the 85-percent market-penetration mandate. McCain said the Sept. 11 Commission had recommended that the TV-broadcast spectrum be used for public-safety communications. He also said the terrorist bombings last week in London reinforce the immediate need for the spectrum. News media had reported that Scotland Yard suffered a major communication failure due to lack of sufficient spectrum in the aftermath of the attack.

"The spectrum controlled by television broadcasters is essential to providing our police, fire and other emergency response personnel the necessary tools to communicate with each other in event of another national emergency," McCain said. He called the DTV transition one of the most critical telecommunication issues facing Congress.

"(The Public Broadcasting Service) and the Department of Homeland Security have a cooperative agreement to use digital public television to upgrade the aging Emergency Alert System," said John Lawson, president and CEO of the Association of Public Television Stations. "We are truly serious about completing our march to what we call digital-only broadcasting," Lawson said. "For these reason, we are prepared to do what we can to make a 'hard date' a reality. We want to work with you to provide solutions for a successful transition."

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