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**DTV: Toward The
Verge of Convergence**

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Long-time followers of the progress toward the brave new world of Digital Television may be noticing what we may cautiously refer to as gathering momentum in that direction. Two developments have occurred: the resolution of the DTV tuner deadlines for digital television receivers, and the adoption of a Notice of Proposed Rulemaking relating to the distributed transmission system technology for DTV television stations.

It may be recalled that the Consumer Electronic Association (“CEA”) had requested that the Commission eliminate a mid-term July 1, 2005 deadline for television receivers with 25 - 36 inch screens. In response, the Commission not only declined to eliminate the deadline, but also *moved up* the DTV Tuner deadline for all 25 – 36 inch television sets by four months. Adding insult to injury, the Commission sought comment on whether it should move forward the deadline for all television sets 13 inches and larger from July 1, 2007, to December 31, 2006. In addition, the Commission sought comment on whether to establish a similar deadline for televisions sets with screens less than 13 inches.

Now, the other (and final?) shoe has dropped.

In an order adopted this month, the Commission established the final schedule for all digital television-related equipment. Specifically, the Commission moved forward the deadline for television sets with screens between 13 -24 inches from July 1, 2007, to March 1, 2007, and included within this deadline all television sets smaller than 13 inches, and all VCRs and digital video recorders (DVRs). This deadline is one year after the deadline for all digital television sets with screens between 25-36 inches are required to have DTV tuners. This deadline is also identical to the deadline established in House-version of the DTV bill that has yet to be reconciled with the Senate bill. Moreover, this deadline is roughly two years before the hard-return date of April 7, 2009, established in the pending Senate bill.

While the Commission was anxious to accelerate the deadline for DTV tuners, it did not honor the broadcasters’ request to accelerate the deadline to a date before the 2006 holiday season. Instead, the Commission relied on the assertions made by CEA that it’s members could not possibly meet a December 2006 deadline. In addition, the Commission declined to establish a labeling requirement for all television sets which would inform the public that analog sets would not be able receive over-the-air signals after a certain date. Instead, the Commission sought voluntary actions by the consumer electronics industry while the Commission put the finishing touches on a corollary

rulemaking proceeding that may address this issue.

Only time will tell whether the March 1, 2007, deadline will be met by the consumer electronics industry. Since there are no remaining interim deadlines, however, it is entirely possible that the public will finally be in a position to make a reasoned decision on whether to buy a digital television set. As the Commission, NAB and CEA have stated, more education is necessary at the point-of-purchase to ensure that the public fully understands the impact of their decision to purchase either an analog-only or digital television set. With the deadline now almost set, hopefully all three stakeholders will begin an educational program to educate the public in their future purchases, and adopt some sort of labeling that will inform those unaware of the DTV transition that the television set will not be able to receive over-the-air signals after 2009.

Secondly, the Commission sought comment on new rules that would permit a television licensee to use synchronized transmitters spread-out within its service area, rather than the standard single-transmitter model that has been used since Harry T. gave 'em hell. The main advantage of the distributive transmission system (DTS) technology is that it will permit a licensee to serve areas within its protected service area that may not receive strong signals due to terrain or man-made obstructions. These transmitters would fill-in these areas just as analog TV boosters do currently, but television receivers would not suffer the same on-channel interference typically present with analog signals. In addition, by using the DTS technology, licensees can avoid "tall tower" zoning concerns by placing the transmitters on lower antennas, and generally increase the signal strength within a station's service area more efficiently. In essence, the FCC is proposing to permit "cellular" style operations by digital broadcasters similar to the way cellular radio operators have been functioning for a couple of decades.

[Ed. Note: Without going into the specifics of the technical proposals, we can imagine digital broadcasters using the combination of this new authority and their existing authorization to use part of their spectrum for non-broadcast purposes to create their own cellular networks. One might see a certain unfairness to this since the broadcasters were given this spectrum for free while most cellular carriers (other than the early 800 MHz filers) had to pay dearly for the privilege.]