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Federal Communications Commission
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Washington, D. C. 20554

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F 2d 385 (D.C. Circ 1974).

FOR IMMEDIATE RELEASE
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FCC TAKES NEXT STEPS TO PROMOTE DIGITAL TV TRANSITION

Second Periodic Review determines channel election process, establishes deadlines for broadcasters to increase power, and resolves outstanding operational issues.

Washington, DC – The Federal Communications Commission (“FCC”) today adopted a Report and Order (“Order”) that implements several steps necessary for the continued progress of the conversion of the nation’s television broadcast system from analog technology to digital television (“DTV”). This Order will hasten the completion of the transition by:

- Commencing an open channel election process in November 2004 that will provide certainty to the marketplace and ultimately result in a Final DTV Table of Allotments (see attached summary);
- Establishing firm deadlines for digital stations to increase their power levels to serve additional viewers or lose interference protection to the un-served areas (see attached summary);
- Requiring broadcasters to include PSIP information in their digital broadcast signals, thus promoting closed captioning, v-chip, channel numbering, and other functionality;
- Eliminating, for now, the simulcasting requirement to permit the transmission of additional innovative programming on broadcast digital channels;
- Providing clarity regarding the interference protection for broadcasters in TV channels 51-69;
- Clarifying our digital closed captioning rules in order to ensure that those services are consistently and effectively delivered;
- Mandating that, after an 18-month transition period, all digital television receivers contain v-chip functionality that will permit the current TV ratings system to be modified; and
- Committing to opening a fast-track proceeding on distributed transmission technology while agreeing to consider individual deployments on a case-by-case basis in the interim.

Action by the Commission, August 4, 2004, by Report and Order (FCC-04-192).
Chairman Powell, Commissioners Abernathy, Copps, Martin and Adelstein. Separate
statements issued by Chairman Powell, Commissioners Copps, Martin and Adelstein.

Docket 03-14

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Summary of Channel Election, Replication, and Maximization Decisions Adopted in the Second DTV Periodic Review

Channel Election:

- Television broadcast station licensees must elect the channel they will use for digital broadcasting after the transition.
- Most station licensees currently have two channels, one on which they are broadcasting analog signals, the other on which they are broadcasting digital signals. After the transition from analog to digital broadcasting is completed, stations will need only one digital channel and it must be within the core channels, 2 through 51.
- The channel election process allows station licensees to choose which channel they prefer, subject to Commission evaluation of interference protection for all stations.
- The channel election process will consist of three rounds, with Commission notification of conflicts and tentative designations between each round.
- August 3, 2004: The Media Bureau announced a freeze on new applications to stabilize the database in preparation for the elections.
- October 2004: Licensees are encouraged to ensure accuracy of database technical information on-file with the Commission before October 1, 2004. The Commission will issue a Table of Station Information (based on licensees' on-file database information) so that station licensees will know the DTV service populations to be used in the channel election process.
- November 2004: Channel election process begins with all stations certifying their database technical information; and certifying intent to replicate or maximize on their post-transition channel.
- December 2004: Round One - Station licensees with two in-core channels elect the channel they prefer to retain for digital broadcasting, and licensees with one in-core and one out-of-core channel elect whether to use their in-core channel for post-transition digital operation.
- July 2005: Round Two - Station licensees without a current in-core channel assignment elect a channel from those available after Round One.
- January 2006: Round Three - Station licensees not yet assigned a channel, or assigned channel 2 through 6, may elect a channel from those available after Round Two.
- Between each round, the Commission will announce which channels are protected, which are in conflict, and which are available. Station licensees with conflicts will decide whether to accept interference and remain on elected channels or move to the next election round.
- After Round Three, the Commission will resolve remaining conflicts based on relevant factors.
- August 2006: Notice of Proposed Rulemaking proposing and seeking comment on new DTV Table of Allotments.

Replication and Maximization Deadlines

- Broadcast station licensees may – but are not required to – replicate their analog service area on their digital channels and maximize these service areas, as previously authorized. DTV service replication generally means providing digital service over the Grade B analog area. Maximization is a means by which stations may increase their DTV signal coverage within their respective markets.

- Broadcast station licensees may certify their intention to replicate and/or maximize on their new digital channels assignments in the Election process. Such certifications are subject to sanctions if not fulfilled.
- Stations intending to replicate or maximize on post-transition digital channels must also meet the replication and maximization deadlines established in this Order. Failure to meet these deadlines results in loss of interference protection on the existing digital channel.
- The deadlines for replication and maximization are:
 - July 1, 2005: Station licensees affiliated with the top-four networks in the top 100 markets that receive a tentative digital channel designation in the channel election process on their current digital channel must construct full, authorized facilities. Such licensees that receive a tentative digital channel designation on a channel that is not their current digital channel must serve at least 100% of their analog population coverage.
 - July 1, 2006: All other commercial station licensees as well as noncommercial licensees that receive a tentative digital channel designation in the channel election process on their current digital channel must construct full, authorized DTV facilities. Such licensees that receive a tentative digital channel designation on a channel that is not their current digital channel must serve at least 80% of their analog population coverage.
- Station licensees that meet these deadlines will be permitted to carry-over maximized service areas to their new digital channels. Station licensees that fail to meet these deadlines will not be able to do so.