

**STATEMENT OF
COMMISSIONER MICHAEL J. COPPS, APPROVING**

Re: Carriage of Digital Television Broadcasting Signals, CS Docket 98-120, Third Report and Order and Third Further Notice of Proposed Rule Making

The Digital Television Transition, as Americans will come to understand—I hope sooner rather than later—brings new services to consumers, but new challenges, too. It can be a multi-faceted opportunity or a hydra-headed monster. We'll know which it is in 17 months and seven days. And which it is depends entirely on the efforts of industry and government between now and February 2009. Today's Order broaches an important part of the transition that has not received the nation's attention to the degree it merits. It is the role of cable and making sure that consumers (1) continue to receive signals when the transition occurs and (2) that these services include the best that digital technology has to offer. While this Order may seem crammed with legalisms—some might even allege technical mumbo-jumbo—it contains important news for consumers.

First, it ensures that no cable subscriber will lose access to a single broadcast station when the DTV transition occurs on February 17, 2009. That is, cable subscribers can rest easy that night knowing they will awaken in the morning to the same complement of broadcast stations on cable they received the night before. This Order provides much needed assurance for the large percentage of U.S. households that receive their programming via cable.

Second, although the obligation imposed today to make broadcast signals viewable on analog sets presumptively expires in 2012, the Commission pledges to conduct a formal review of the rule during its final year. That is, like the program access exclusivity ban we are considering today, the Commission will examine the viewability requirement to determine whether and how it should be extended. This review will need to focus on such relevant factors as: (1) minimizing potential cost and service disruption to consumers; (2) the state of cable systems' conversion to digital; (3) technological and other marketplace developments; and (4) the impact on other cable services. I am pleased that my colleagues have agreed to begin collecting, via industry reporting, some of the key underlying data that will inform the Commission's ongoing decision-making process.

Third, the Order ensures that cable subscribers have access to broadcasters' pristine digital signals on day one. So if a broadcaster has made the investment to transmit in HD, that's exactly what cable subscribers will get. That obligation never sunsets and should provide an additional incentive for cable subscribers to purchase digital equipment. While I would have preferred an accommodation for small cable systems in the present Order, I am pleased that we agree to complete the Further Notice within six months—well before the February 2009 effective date of the requirement.

We have 525 days until the end of analog broadcasting. In a transition this massive and with so many moving parts, that's precious little time. With such little time, so many people to inform and so much to do, it's time to get everyone's focus and everyone's efforts on making the DTV transition something we can look back on with pride rather than sour memories. Again, it can go either way.

I know the Bureau worked mightily on this item and I thank them for that, and I am grateful to my colleagues who worked so hard and clocked so many miles walking the Eighth floor to achieve workable agreement. (I notice the carpet is wearing out up there, which is another reason to modify the closed meeting rule so we can come together as a body and achieve consensus without all the inter-office commuting.)