



NEWS

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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).

SEPARATE STATEMENT OF COMMISSONER KATHLEEN Q. ABERNATHY

Re: Remedial Steps for Failure to Comply with Digital Television Construction Schedule, Requests for Extension of the October 5, 2001 Digital Television Construction Deadline, Order and Notice of Proposed Rulemaking (adopted May 16, 2002).

I support today's decision to grant an additional six months to these nine licensees to fully construct their digital television facilities. Each has demonstrated that it has made reasonable and diligent efforts to construct its authorized facility and encountered delays that were unforeseeable or beyond its control.

I also support the NPRM that we are issuing today. While I am not unsympathetic to the challenges broadcasters are facing, we must continue to work toward moving the digital transition forward. To take into account the difficulties associated with construction in smaller markets in particular, last November, the Commission allowed broadcasters to initially commence digital operations with lower power and spread the cost of DTV transition over a longer period of time. Yet, despite this order, the Commission still received hundreds and hundreds of requests for waiver of the May 1, 2002 deadline. I recognize that in order to move the digital transition forward, we need cooperation and commitment from all parts of the industry, but broadcasters are a pivotal piece to that equation. Thus, I feel strongly that broadcasters must comply with the established transition schedule and we must strictly enforce our rules. Accordingly, I support the proposed measures we have set forth in the NPRM for those stations that fail to comply with our DTV construction schedule.