

**Before the
Department of Commerce
National Telecommunications and Information Administration
1401 Constitution Avenue, NW
Washington, D.C. 20230**

Implementation and Administration of a)
Coupon Program for Digital-to-Analog)
Converter Boxes) Docket No. 060512129-6129-01
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To: Milton Brown, Office of the Chief Counsel, NTIA
Submitted via E-mail to: coupon@ntia.doc.gov

**COMMENTS OF THE ASSOCIATION OF PUBLIC TELEVISION
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Executive Summary

With the nation-wide shut-off of analog broadcast television approaching within 30 months, all parties agree that there is a critical need for a comprehensive means of consumer education and outreach to directly reach broadcast-dependent household members where they live and work. This includes Americans living in many rural portions of the country, minorities, older Americans, lower-income families, and persons with disabilities.

Public television stations possess the means and decades of experience engaging these constituencies with effective, direct person-to-person local educational outreach activities. Public Television's local roots and national scope are ideal tools with which to initiate the kind of comprehensive consumer education campaign that Congress envisioned and that is desperately needed if the DTV switch-over is to succeed.

By virtue of their educational mission to address underserved populations through broadcast media and community outreach, local public television stations already have deep and effective ties to the many local institutions, organizations, advocacy groups and service providers that directly communicate with these constituents. Public television stations possess an unparalleled universal broadcast coverage, a local presence in each community, a nonprofit educational mission and decades of experience and proven success in conducting effective outreach projects that bring information and guidance to Americans beyond the television screen. In doing so, they convene and work with local and regional partners including but not limited to libraries, hospitals, elementary and secondary schools, institutions of higher education, local councils on aging, state and local governmental support agencies, civil rights groups, churches, private philanthropy organizations, foundations, minority support and service groups, commercial radio and television stations, newspapers and other non-governmental organizations. Local public television stations are therefore perfectly situated to assist NTIA with its mission of disseminating information concerning the DTV transition to those most likely to be affected by the shut-off of analog television service.

APTS and local public television stations stand ready to assist NTIA in any way possible. To this end, APTS is engaged in talks with Archway Marketing Services (www.archway.com) and others to work together to provide "turnkey" management capability that utilizes the local power and reach of public television's media and outreach capabilities to bring the DTV transition to a successful conclusion.

While APTS generally supports the proposed rules designed to govern the converter box program, APTS supports additional changes. First, eligible households for the converter box program should not be limited solely to households without any cable or satellite connections, because the goal of the program is to ensure continuity of service for any unconnected television set, including those that may be in cable or satellite households. Second, NTIA should not independently impose an economic means-test on coupon applicants where such a means test has been considered and rejected by Congress. Third, APTS supports measures to reduce fraud and to ensure consumer

acceptance, such as the issuance of unique serial numbers on electronic cards that can be used online or in a store for the purchase of a converter box. Fourth, while APTS supports the proposed converter box technical specifications, APTS also urges NTIA to: (a) allow eligible converter boxes to possess software or hardware capability that would allow for upgrades after retail sale; (b) ensure that converter equipment is capable of receiving, decoding and presenting program-related and non-program public safety data; (c) allow eligible converter boxes to contain a built-in and easily workable A/B switch to facilitate reception and display of both full power digital or low power analog translator signals; and (d) work closely with the EPA to ensure that EPA's Energy Star program, or another national standard, applies to DTV converter equipment and that it has sufficient preclusive effect on state regulation.

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Television Transition and Public Safety Act of 2005 (the Act).¹ The Act, among other things, requires the Federal Communications Commission (FCC) to require full-power television stations to cease analog broadcasting after February 17, 2009. Recognizing that consumers may wish to continue receiving broadcast programming over the air using analog-only televisions not connected to cable or satellite service, the Act authorizes NTIA to create a digital-to-analog converter box assistance program. Specifically, Section 3005 of the Act authorizes the Assistant Secretary for Communications and Information to “implement and administer a program through which households in the United States may obtain coupons that can be applied toward the purchase of digital-to-analog converter boxes.”² NTIA has proposed a set of regulations to implement the requirements of the Act and seeks comment on a variety of issues related to the converter box subsidy program and to consumer education.³

I. Introduction

Unlike public broadcasting in other countries, public television stations in the United States are decentralized and autonomous. They are owned and operated by non-profit community groups, universities, community colleges, state commissions, school districts and local municipalities. In many instances, they are the only locally-owned and operated media outlets in their markets. And as a result of this local orientation, public television stations frequently bring educational media services directly to their

¹ See Title III of the Deficit Reduction Act of 2005, Pub. L. 109-171, 120 Stat. 4, 21 (Feb. 8, 2006).

² 120 Stat. 23, Sec. 3005(a).

³ Implementation and Administration of a Coupon Program for Digital-to-Analog Converter Boxes, Notice of Proposed Rulemaking and Request for Comment, 71 Fed. Reg. 42067 (July 25, 2006) (NPRM).

communities through television broadcast programming, interactive web pages, video and audio podcasts, and specialized cable channels. Moreover, because of their deep ties to the communities they serve, public television stations possess decades of experience conducting direct educational outreach activities designed to address the pressing needs of the most needy individuals in those communities.

Congress has mandated that full-power analog television broadcasts shall not continue beyond February 17, 2009, at which point all full-power television stations must broadcast solely in digital.⁴ Public television stations have whole-heartedly embraced the digital transition as a means to continue and modernize their educational mission. These stations have taken advantage of digital technology not only to transmit high-definition video, but also to provide multiple sub-channels of educational programming directed towards the specific community needs and interests, as well as wireless data transmissions designed to address the educational and public safety demands of those they serve. At present, digital public television stations reach 95 percent of all households, and this coverage continues to grow as the remaining public television stations come on-air with digital. Public television stations are deeply invested in digital technology and have every incentive to ensure the conclusion of a successful transition that ensures that no viewers will lose access to the educational services upon which they have relied.

To facilitate the transition of households that possess analog televisions unconnected to any multichannel video provider (such as cable, satellite or fiber), Congress provided for a subsidy program, managed by NTIA, designed to aid consumers

⁴ 47 U.S.C. § 309(14)(A).

in the purchase of digital-to-analog converter equipment.⁵ Congress also required NTIA to implement an effective consumer education program to ensure that all relevant constituencies are aware of the DTV deadline and the need to retrofit legacy analog televisions.⁶ Specifically, Congress has allocated up to \$5 million of NTIA's administrative funds for the express purpose of implementing this consumer awareness program.⁷

Numerous parties have commented that a targeted consumer awareness program is critical to addressing those Americans who rely on over-the-air transmission to receive broadcast television service.⁸ Reliable sources agree that the extent of such dependence is significant. After considering evidence from a number of sources, the FCC has estimated that the percentage of TV households that are over-the-air dependent ranges from 13% to 19%.⁹ Similarly, the GAO has found that 19% or 20.8 million households rely exclusively on free over-the-air television.¹⁰ In addition to households that do not possess access to subscription-based television, millions of television households that do

⁵ See Title III of the Deficit Reduction Act of 2005, Pub. L. 109-171, 120 Stat. 4, 21 (Feb. 8, 2006).

⁶ Id.

⁷ 120 Stat. 23, Sec. 3005 (c)(2)(A).

⁸ Letter to John M.R. Kneuer from Alliance for Public Technology, et. al. (June 2, 2006).

⁹ *Federal Communications Commission Media Bureau Staff Report Concerning Over-the-Air Broadcast Television Viewers*, 2005 FCC LEXIS 1332, para. 7 (2005) (FCC OTA Staff Report).

¹⁰ *The Role of Technology in Achieving a Hard Deadline for the DTV Transition: Testimony Before the House Comm. on Energy and Commerce, Subcomm. on Telecomms. and the Internet*, 109th Cong, p. 7 (Feb. 17, 2005) (statement of Mark L. Goldstein, Director, Physical Infrastructure Issues, Government Accountability Office) (Goldstein 2005 Testimony).

subscribe to either cable or DBS possess additional televisions that are not connected to these services.¹¹

Numerous parties have established that those who would likely be most adversely affected by a nation-wide shut-off of analog television service would be Americans living in many rural portions of the country, minorities (particularly African Americans and individuals of Hispanic origin), older Americans, lower-income families, and persons with disabilities.¹² Indeed, additional proprietary evidence from the Corporation for Public Broadcasting also indicates that over-the-air dependent households are more likely to be public television viewers than otherwise.

By virtue of their educational mission to address underserved populations through broadcast media and person-to-person outreach, local public television stations already have deep and effective ties to the many local institutions, organizations, advocacy groups and service providers that directly communicate with these constituents. Public television stations possess an unparalleled universal broadcast coverage (99 percent of

¹¹ The FCC has stated that the number of such sets may approach 30 million. FCC OTA Staff Report at para. 9. The GAO has separately estimated that these additional sets are present in 16% of cable households and one-third of DBS households. Goldstein 2005 Testimony, at 8-9 (Feb. 17, 2005). The National Association of Broadcasters has estimated that 18.3 million households with multiple sets may be affected. Testimony of K. James Yager, before the Subcommittee on Telecommunications and the Internet, Committee on Energy and Commerce, U.S. House of Representatives, at 3 (Feb. 17, 2005) (“Approximately 18.3 million MVPD households have one or more television sets that rely solely on over-the-air television reception”). Combined with TV sets in over-the-air dependent households, the FCC has estimated that the total number of broadcast-dependent TV sets would be 73 million. FCC OTA Staff Report, at n. 15.

¹² See, e.g. FCC OTA Staff Report, para. 11; Goldstein 2005 Testimony, at 7-8 (Feb. 17, 2005); Testimony of Manuel Mirabal before the Subcommittee on Telecommunications and the Internet, Committee on Energy and Commerce, U.S. House of Representatives, at 3 (March 10, 2005) (indicating that one-third of Hispanic viewers rely exclusively on over-the-air reception, combined with 7% of Hispanic DBS households that rely on over-the-air reception for local programming, yielding a total of 40% for Hispanic broadcast-dependent households); Testimony of Lavada E. DeSalles on Behalf of AARP, Before the House Subcommittee on Telecommunications and the Internet of the House Committee on Energy and Commerce, at 5 (March 10, 2005) (testifying that of the approximately twenty-one million over-the-air dependent households, 8.6 million include at least one person over the age of fifty).

American households in analog and currently 95 percent in digital), a local presence in each community, a nonprofit educational mission and a history of effective outreach projects that bring information and guidance to Americans beyond the television screen. Local public television stations are therefore perfectly situated to assist NTIA with its mission of disseminating information concerning the DTV transition to those most likely to be affected by the shut-off of analog television service.

NTIA has stated that “considering the costs of media production and paid advertising time,” it must “carefully leverage the program’s consumer education spending by collaborating with and complementing the consumer education efforts of broadcasters, equipment manufacturers, retailers, consumer groups and others with a stake in a successful and timely transition to digital television broadcasting.”¹³ APTS agrees. NTIA could find no better private-sector, public service partner than local public television stations to accomplish its mission.

II. Existing DTV Consumer Education Efforts Need to Be Supplemented

NTIA notes the wide range of consumer education efforts by these groups already under way.¹⁴ For example, the website www.dtv.gov provides an impressive array of answers to Frequently Asked Questions, a shopper’s guide, publications, news, and outreach materials concerning the conversion to DTV. However, because website and in-store displays constitute quite limited information distribution paths, very little of this helpful information is being distributed to the people who will be directly affected and

¹³ 71 Fed. Reg. at 42071.

¹⁴ 71 Fed. Reg. at 42071.

through the means most likely calculated to reach these difficult-to-reach people where they live and work.

Accordingly, NTIA seeks “proposals to produce commonly used on-air announcements, print and online promotional materials as well as other media or services that can be used to convey clear, consistent, frequent and widely disseminated information concerning the existence of the digital-to-analog converter box program and the actions that households must take to obtain coupons and converters.”¹⁵ NTIA seeks comment on the ways to provide consumer education to those households most likely to rely on over-the-air broadcasts in analog format.¹⁶

APTS agrees that a public information campaign that provides targeted, clear, consistent, frequent and widely disseminated information regarding the DTV transition and the means of preserving TV service is badly needed. On June 2, 2006, a coalition of concerned industry and public-sector organizations spearheaded by APTS wrote to Acting Assistant Secretary Kneuer to support core guiding principles for consumer education.¹⁷ In this letter, the coalition stated that in order for the digital television transition to be successful, “consumers must be well-informed and primed to adapt successfully to the new technology.”¹⁸ It further stated that “this cannot occur unless there is a comprehensive, coordinated and harmonized national consumer education effort.”¹⁹ *A copy of the Coalition letter is provided at Appendix A.*

¹⁵ 71 Fed. Reg. at 42071.

¹⁶ 71 Fed. Reg. at 42071.

¹⁷ Letter to John M.R. Kneuer from Alliance for Public Technology, et. al. (June 2, 2006).

¹⁸ Id.

¹⁹ Id.

The need for such an effort is underscored by the continuing confusion that exists among ordinary, and even technologically savvy, consumers. For instance, according to an Ipsos Insight survey of households that are “somewhat or very likely” to get an HDTV set in the next year the figure remains a steady 13-15% over 3 years.²⁰ Additionally, according to the Leichtman Research Group, 17% of consumers think they are watching HD from cable or satellite when in fact they are not.²¹ Furthermore, last year the Government Accountability Office (GAO) found that despite the efforts to date to educate consumers regarding the DTV transition, many consumers remained confused. In this regard, the GAO has stated:

“For example, one broadcaster we spoke with stated that consumers do not understand the difference between the DTV transition and high-definition television, and that few people are even aware that the transition is taking place. Further, a retailer told us that many consumers do not understand that after the transition, analog signals will no longer be used to transmit television signals; rather, he said those consumers believe that they will always have a choice between viewing analog and digital signals, similar to the manner in which they can choose between digital and [analog] film cameras. The retailer also said that because analog television sets are priced much lower than digital sets, consumers with no knowledge of the DTV transition or when it will occur are not eager to adopt DTV equipment.”²²

To accomplish the goal of a better informed citizenry, the GAO has highlighted the importance of a clear and unified message, disseminated widely across media and

²⁰ See Evie Haskell, “Hi-Def’s Cloudy Picture,” *The Bridge* 5:21 (May 26, 2006), p. 2, and “High Definition Hyped, But Many Consumers Remain Wary,” Ipsos (January 20, 2006), available at: <http://www.ipsos-na.com/news/pressrelease.cfm?id=2947>.

²¹ Evie Haskell, “Hi-Def’s Cloudy Picture,” *The Bridge* 5:21 (May 26, 2006), p. 5.

²² Government Accountability Office, *Digital Television Transition*, Report, GAO-05-940R (Sept. 6, 2005), p. 6.

non-media outlets, and through such avenues as community centers, libraries, toll-free information hotlines and the Web and made accessible on both English and Spanish.²³

Indeed, in Germany and the United Kingdom, where the cessation of analog television broadcasts has progressed to an advanced stage, extensive public information outreach has been a key to success. *An outline of these public information efforts is provided at Appendix B to this Comment.* As one observer, who has studied the success of public information campaigns supporting the digital television conversion in Europe, has noted, “A smooth transition will be accomplished only through careful planning and constant public relations, coordinated between private industry and the government.”²⁴ In this regard, the European experience teaches us that any successful consumer education campaign must take the message to ordinary consumers where they live and work.

III. Public Television Stations Can Play a Role In Consumer Education and Outreach

Public television stations are ideally suited to accomplish this consumer education goal because of their unparalleled universal broadcast coverage, their local presence in each community, their nonprofit educational mission and their history of effective outreach projects. Public television stations have decades of experience addressing the issues of most importance to rural Americans, minorities, older Americans, lower income families, and persons with disabilities.

²³ Id. at pp. 7-8.

²⁴ Andrew D. Cotlar, “The Road to Analog Switch-Off: How the United States Can Turn Off Analog Television without Significant Service Disruption,” *13 CommLaw Conspectus* 271, p. 296 (2005).

A. Public Television is Locally Governed and Responsive to Local Community Needs

Pursuant to Federal policy, the purpose of public television stations is to serve the public interest by providing educational and informational services to their local communities.²⁵ The public television “system” in this country is, by design, decentralized. The 361 local public television stations are operated by local community organizations, colleges, universities and school districts, locally-responsive state commissions and local municipalities. In addition, all public television stations not affiliated with governmental entities possess community advisory boards that allow direct feedback from the community regarding performance and adherence to public television’s mission.²⁶ Moreover, daily operations are directly funded by donations from local viewers, ensuring community responsiveness in a very concrete financial way.²⁷

²⁵ 47 U.S.C. §§ 396(a)(5) ([I]t furthers the general welfare to encourage public telecommunications services which will be responsive to the interests of people both in particular localities and throughout the United States, which will constitute an expression of diversity and excellence, and which will constitute a source of alternative telecommunications services for all the citizens of the Nation”); 396(a)(6) (“[I]t is in the public interest to encourage the development of programming that involves creative risks and that addresses the needs of unserved and underserved audiences, particularly children and minorities”); 396(a)(8) (“[P]ublic television and radio stations and public telecommunications services constitute valuable local community resources for utilizing electronic media to address national concerns and solve local problems through community programs and outreach programs”).

²⁶ Other than states, political or special purpose subdivisions of a State or public agencies, all public television licensees must have a Community Advisory Board in order to receive CPB grants. 47 U.S.C. § 396(k)(8)(A).

²⁷ In fact, one-quarter of public television’s funding comes from individual donations, while only about 15 percent of funding comes from the Federal Government. The balance is funded by local businesses, state and local governments, local colleges and universities, and foundations.

B. Public Television Means Local Outreach Beyond the Screen

Because of its inherently local structure, public television programming is responsive to the communities these stations serve through the programming and outreach efforts they provide.²⁸ Pursuant to their statutory mission to serve their local communities,²⁹ public television stations across the nation have provided not only a mix of national, regional and local programming, but have also engaged in local and national partnerships and outreach efforts to extend education beyond the television screen. In this way, public television stations do not simply rely upon programming and public service announcements. Rather, the powerful broadcast medium is supplemented and extended by public television stations that serve as “conveners” of interested and engaged community groups, which in partnership with the station conduct direct person-to-person activities specifically designed to change our towns, villages and cities for the better.

Public television’s local presence is supplemented by its national scope. For instance, the National Center for Outreach,³⁰ through funding provided by the

²⁸ As the Senate Commerce Committee has recently observed: “Public broadcasting stations exercise complete discretion over programming decisions – all licensees are owned and controlled at the local level. This structure is due, in part, to the institutional and financial factors that motivated the founding of each individual public television station. Unlike commercial television stations, which typically involve business-related investment decisions, establishing a public television station entails a local-level commitment to the education and cultural enrichment of viewers.” Public Broadcasting Reauthorization Act of 2004, Report of the Committee on Commerce, Science and Transportation on S. 2645, S. Rep. No. 108-396 (2004) at 3. In this regard, the Senate Commerce Committee further observed that “the locally owned and controlled public broadcasting stations are models of local service in their communities” because they “control their own programming content and schedules and tailor them to the interests of their communities.” *Id.* at 10.

²⁹ 47 U.S.C. §396(a)(8) (“[P]ublic television and radio stations and public telecommunications services constitute valuable local community resources for utilizing electronic media to address national concerns and solve local problems through community programs and outreach programs”).

³⁰ <http://www.nationaloutreach.org/>.

Corporation for Public Broadcasting (CPB), assists public television stations in facilitating meaningful outreach to local communities and helping to foster and deepen existing community partnerships by supporting stations' outreach missions; communicating opportunities; advancing best practices; sharing resources; training new and experienced outreach professionals; funding local outreach with annual grants; and organizing national meetings to enhance local outreach.

One notable example of local community outreach occurred in 1983, when public television stations engaged their communities to address the issue of drug and alcohol abuse among young people. In conjunction with the two-part program *The Chemical People*, hosted by Nancy Reagan, public television stations enlisted some 30 national organizations and created 8,000 task forces throughout the country, many of which are still active, to bring thousands of community groups and professional organizations together to educate the public on the dangers of drug and alcohol abuse and to document the success stories regarding prevention and intervention activities.

In addition, through its national *Ready to Learn* initiative, public television has contributed toward our nation's most urgent educational goal— ensuring that all children begin school ready to learn. The core of *Ready to Learn* is to develop reading skills for the nation's poorest children and to emphasize research-based educational television programming for preschool and elementary school age children with support materials and services that promote the effective use of such programming. Through the federally-funded *Ready to Learn* program, for example, public broadcasters provided direct services to approximately one million parents and eight million children, supporting school readiness by acting in concert with other community agencies like family literacy

centers, social service groups, and public libraries. Additionally, public television stations have convened over 20,000 community-based *Ready to Learn* workshops and have distributed over a million free, new books to disadvantaged children.

C. Public Television Outreach Means Local Partnerships

In addition to the nationally supported outreach efforts, hundreds of local public television stations throughout the nation independently conduct their own local outreach efforts in conjunction with active and engaged community groups. Public television stations have decades of experience and proven success in conducting effective outreach to all segments of their communities. In doing so, they convene and work with local and regional partners including but not limited to:

- Libraries
- Hospitals
- Elementary and Secondary schools
- Institutions of higher education
- Local councils on aging
- State and local governmental support agencies
- Civil rights groups
- Churches
- Private philanthropy organizations
- Foundations
- Minority support and service groups
- Commercial radio and television stations
- Newspapers
- Other non-governmental organizations

For instance, public television stations have partnered with a variety of community organizations to deliver comprehensive, cost-effective approaches to local education needs. These groups include Head Start, the Boys and Girls Clubs, Child Care Resource & Referral Networks, juvenile justice groups, and more. The following are some representative examples.

- KNME in Albuquerque, NM, is spearheading an effort to improve the early reading skills of American Indian children. Through a grant from the American Indian Head Start Literacy Initiative, KNME staff are working with the producers of *Between the Lions*, academic researchers, and the New Mexico Indian Affairs Department to bring *Between the Lions* video programming and related curriculum materials to tribal Head Start programs in the state.
- New Hampshire Public Television is working with the state's correctional system to provide "Project Storytime," which enables incarcerated parents to record read-aloud stories for their children and remotely participate in other literacy-building activities.
- In Los Angeles, KCET offers "A Place of Our Own," a daily television series, a website, and an extensive outreach program presented in English and Spanish. The initiative highlights local and state resources for child care providers and the children in their care, reflecting the broad spectrum of California's ethnic communities and a wide range of children with special needs.
- Nashville Public Television is using a combination of online and face-to-face professional development to train the early childhood educators needed to staff a new, statewide preschool offering.
- Kentucky Educational Television offers televised training and certification assessments for early childhood caregivers working in rural parts of the state who desire their state certification. Last year, approximately 2,400 individuals participated in this initiative.
- KACV in Amarillo, TX, is working with preschool educators in the Amarillo area to design a Pre-K literacy curriculum to meet the socioeconomic and geographic needs of its community which includes four times the number of farm workers, 20% fewer white collar employees, and twice the number of Hispanics than the national average.

In this way, through effective partnerships with local and regional organizations, the noncommercial educational services public television stations provide extend well beyond the television screen and deep into the roots of the communities they serve. In particular, public television stations possess extensive experience delivering services to those most likely to be affected by the shut-off of analog television service: Americans

living in many rural portions of the country, minorities (particularly African Americans and individuals of Hispanic origin), older Americans, lower-income families, and persons with disabilities.

D. Public Television Reaches Out to Rural Communities

Numerous public television stations have extensive experience addressing the rural communities they serve. On a regular basis they not only broadcast special programming of relevance to rural communities but also engage in targeted and effective outreach activities.

- **Louisiana Public Broadcasting (LPB)** partnered with the state mathematics association and parish libraries to deliver 10 Saturday workshops across the state, primarily in rural, economically depressed areas. Activities were conducted with children and their parents to further their understanding of the relevance of math in their everyday lives.
- **FocusWest** is a consortium of public television stations committed to covering significant public affairs issues in the Intermountain West. Now in its second season, the project brings together local and regional perspectives, and aims to deepen and enhance understanding of significant public issues. Together, [Idaho Public Television](#), [KNPB Channel 5/Reno](#), [KUED/Salt Lake City](#), [Oregon Public Broadcasting](#), and [Wyoming Public Television](#) bring unique strengths of television, print and new digital media to encourage greater understanding of, and involvement in, regional civic affairs.
- **KSMQ** in rural Austin, Minnesota brought rural teens together to express their thoughts about current community and national events. This outreach offered young rural adults an outlet to freely express fears and questions regarding their world. Local youth and area experts moderated this forum.
- **Penn State Public Broadcasting (WPSU)** has focused on intergenerational connections in their rural region--for elders, for children, for families, for communities. The goal was to highlight and vocalize important intra-community connections essential to the revitalization of isolated communities throughout Pennsylvania. Penn State worked with area centers on aging, the 4-H, and St. Paul's United Methodist Church to conduct

coordinated outreach to rural Pennsylvanians.

- **Prairie Public Broadcasting** (KFME, Fargo, ND) hosted a daylong summit with the goal to create a dialogue, address needs faced by rural and poverty populations, and to create action steps to expand on existing outreach efforts in the area of reading literacy.
- **WLJT** (Lexington, TN) convened a strategic summit to discuss the overwhelming and daunting problems that negatively impact the diverse populations of six counties in its rural, low income, underserved and under employed viewing area.
- **WSIU** (Carbondale, IL) invited public libraries and museums in a 16-county rural region to develop a partnership planning survey, a planning workshop for museum and library staff or key volunteers, and working agreements to develop, produce, and disseminate museum-and library-based broadcast programming tied to specific local collections and including joint promotion and outreach.

E. Public Television Reaches Out to Minorities

Public Television’s statutory mission is to address issues of concern to underserved audiences and minorities.³¹ Through broadcast programming and locally-directed outreach, public television stations have a deep connection to the minority communities.

- After the civil unrest of April 2001 in Cincinnati, **WCET** (Cincinnati, OH) created a local outreach initiative called “Common Ground” to address a number of racial issues of concern to the region. Through efforts spearheaded by WCET, virtually all local media outlets joined forces in an effort called the [Cincinnati Media Collaborative](#). Through the Common Ground series, Collaborative members worked to engage citizens across the region in informed discussions about the issues surrounding the area's racial tensions. For the entire Common Ground effort, all programs have been made available without charge to local schools with lesson plans that not only enhance students' understanding of the issues but also correlate to the Ohio Proficiencies.

³¹ 47 U.S.C. § 396(a)(6) (“[I]t is in the public interest to encourage the development of programming that involves creative risks and that addresses the needs of unserved and underserved audiences, particularly children and minorities”).

- **Iowa Public Television** has created an effort, entitled *Mi Primer Voto*, to provide first-time Hispanic voters with special services. The campaign included specialized program offerings, public service announcements, and targeted outreach to inform the state’s largest minority population about the voting process and encourage voter registration.
- **KNME** (Albuquerque, NM), brought together tribal leaders and gubernatorial candidates to focus on Native American issues and, separately, engaged the Native American population in New Mexico through a one-day election information event, a Native American political literacy Web page, and two 30-second messages declaring that the “Native American vote counts!”
- **Kentucky Educational Television** (KET) leveraged funding from the Casey Foundation's Making Connections Media Outreach Initiative to examine pressing needs of the immigrant community and execute a series of workshops to address these needs. KET utilized the New Americans, Matters of Race, and KET's GED Connection and Workplace Essential Skills. A complementary awareness campaign also aired on radio and television.
- **KNPB** (Reno, NV), created Open Talk, Open Minds: Connecting the Pieces. This outreach effort provided a forum for discussion of critical issues on diversity in northern Nevada. This project built upon a series of forums within the African American community, as well as other outreach with Native American and Hispanic groups. Connecting the Pieces provided a venue for continuing its relationships with these communities and served to integrate these diverse communities in working together toward understanding of shared urgent issues and concerns.
- **South Dakota Public Television** organized twelve screenings of independent documentary films at three locations across the state, followed by discussion forums. These were designed to promote dialogue on racism/diversity with an emphasis on Native Americans. The project used multicultural independent documentary films as a springboard for discussion circles with diverse groups of people across the state.

F. Public Television Reaches Out to Older Americans

Public television stations have also been instrumental in highlighting issues of concern to Older Americans to the public and facilitating local community engagement with our elder citizens. One particularly good example of this outreach ability was

demonstrated with the broadcast of *The Forgetting*, a documentary about Alzheimer's, and the diverse community activities organized by public television stations designed to extend the educational mission of this documentary beyond the screen. Throughout the country, local public television stations supplemented the national broadcast of this program with local outreach activities, including workshops, retreats, discussion groups, local follow-up programming, companion websites, the publication of local resource guides and information packets, extensive advertising and promotion, community events, coordination with local churches, telephone support and live call-in programs, information in English and Spanish, and close coordination with AARP, local Alzheimer's Associations, state agencies on aging and disabilities, libraries and hospitals. *Additional detailed descriptions of these outreach activities are provided at Appendix C.*

In addition, the broadcast of Bill Moyers' *On Our Own Terms: Moyers on Death and Dying* was an event of special importance to the senior community and those caregivers who support our older Americans. The four-part television series was accompanied by an outreach campaign designed to stimulate dialogue and community action on the physical, emotional, psychological and spiritual issues surrounding end-of-life care. Public television stations, health care professionals and institutions, civic organizations, community-based groups and individuals connected in neighborhoods across America to discuss and take action on end-of-life issues.

Other examples of public television outreach to older Americans include the following.

- **New Hampshire Public Television** opened a statewide community-based discussion about what older citizens need to optimize their quality of life. This involved a series of six feature stories on [NH Outlook](#) and four community forums. Seniors, caregivers, families, policymakers, and the

extended communities that bear responsibility for their well-being, were invited to participate in this collaborative outreach project with [Seniors Count](#) (an initiative of [Easter Seals NH](#)). [New Hampshire ServiceLink Network](#) joined this effort by hosting the community forums and providing resource and referral services. NHPTV acted as convener for this community outreach campaign, using its broadcast capacity to bring awareness and information to tens of thousands of New Hampshire households. Importantly, this initiative involved a statewide public awareness campaign, directed both to citizens and to policy makers, to begin the conversation about what New Hampshire communities will need to do to care for our growing population of seniors.

- **WPBT** Channel 2 (Miami) conducted a summit around the theme of elderly health. Channel 2 invited a wide variety of community organizations to determine the top five issues affecting the health and well-being of its elderly community. During the summit, attendees brainstormed and designed a plan of action for outreach activities around these local needs.
- **WHYY** (Philadelphia, PA) organized an information and entertainment service, called **Wider Horizons**, for everyone looking forward to or living the second half of life—those planning a new career or retirement, active elders, children of aging parents, the homebound, and everyone interested in living a satisfying life enhanced by intellectual stimulation, lifelong learning and a continuing connection to the things and places they love.
- In celebration of Older Americans Month, **Mississippi Educational Broadcasting** and several aging services providers sponsored three workshops to inform senior adults about federal policy information, health issues and local agencies whose main mission is to help seniors in need. The program included workshops, exhibits and presentations by state and local aging service organizations, health and family caregiver discussions and opportunities for seniors to sign up for volunteer activities.

G. Public Television Reaches Out to Low-Income Americans

Local public television stations have also engaged in significant efforts to raise awareness and engage communities in activities designed to alleviate poverty.

- Available at community-based sites throughout the state, the New Jersey Workplace Literacy Program was created in partnership with the New Jersey Department of Labor (DOL) and **NJN Public Television** to deliver workforce training programs and services directly to welfare registrants, dislocated workers and other job seekers identified by DOL. Using digital television

technology, the Internet and print materials, NJN provides interactive training services that allows participants to address individual employment-related issues at their own pace. The program is currently available at one-stop employment centers in Camden, Trenton, Neptune, Bridgeton, Jersey City, and Elizabeth; the Newark Housing Authority; a Department of Corrections' assessment and training center in Camden; the Urban League in Jersey City; and community-based organizations in Newark and Paterson.

- **WIPB** (Muncie, Ind.) implemented a five-phase initiative entitled, 'Leading the Way Out of Poverty'. The initiative provided education on the definition of poverty; facilitated a community-wide effort to develop an action plan; provided a community forum to empower voices of leaders within the community; and served an advocate/catalyst for ending poverty.

H. Public Television Reaches Out to Persons with Disabilities

Since its inception, public television has been instrumental in working closely with the disability community to ensure full and fair access to educational programming. Public television has been at the forefront in the development of captioning technology and services through the WGBH National Center for Accessible Media (NCAM). The Caption Center at WGBH was established in 1971 as the world's first captioning center. Additionally, PBS was instrumental in establishing the National Captioning Institute in Virginia. For approximately nine years thereafter, until 1980, only public broadcasting stations carried captioning. Now, nearly 100 percent of the PBS national programming service carried on public television stations is closed captioned.³²

In addition to its commitment to closed captioning, public television has been airing described video programming for more than a decade. Video description is the description of key visual elements in programming, inserted into natural pauses in the

³² In general, the few PBS programs in the national programming service that are not closed captioned are visually oriented (such as dance performances), non-verbal in nature (such as music concerts), or in foreign languages where subtitles already exist.

audio of the programming. It is designed to make television programming more accessible to the many Americans who have visual disabilities. The descriptive video service (“DVS”) was first developed by public broadcasting through WGBH.³³ The WGBH National Center’s DVS has described thousands of PBS programs, and has provided video description for a variety of regular programming, special programming and cinematic productions.³⁴ As the Commission has noted, “noncommercial stations provide video description in the absence of Commission rules requiring them to do so.”³⁵

IV. Converter Box Program Issues

While APTS generally supports the proposed rules designed to govern the converter box program, APTS writes to address four issues in particular. First, eligible households for the converter box program should not be limited solely to households without any cable or satellite connections, because the goal of the program is to ensure continuity of service for any unconnected television set, including those that may be in cable or satellite households. Second, NTIA should not independently impose an economic means-test on coupon applicants where such a means test has been considered and rejected by Congress. Third, APTS supports measures to reduce fraud and to ensure consumer acceptance. Fourth, while APTS supports the proposed converter box

³³ In 1988, PBS tested DVS nationally throughout its season of *American Playhouse*, and in 1990, PBS aired the first nationally described program *American Playhouse*’s “Sense and Sensibility.” In 1990, public television was honored by the National Academy of Television Arts and Sciences with an award for its development of descriptive video services.

³⁴ See In the Matter of Implementation of Video Description of Video Programming, Notice of Proposed Rulemaking, MM Docket No. 99-339, FCC 99-353 (November 18, 1999), ¶2.

³⁵ *Id.* at ¶25, n. 65.

technical specifications, APTS also urges NTIA to: (a) allow eligible converter boxes to possess software or hardware capability that would allow for upgrades after retail sale; (b) ensure that converter equipment is capable of receiving, decoding and presenting program-related and non-program public safety data; (c) allow eligible converter boxes to contain a built-in and easily workable A/B switch to facilitate reception and display of both full power digital or low power analog translator signals; and (d) work closely with the EPA to ensure that EPA's Energy Star program, or another national standard, applies to DTV converter equipment and that it has sufficient preclusive effect on state regulation.

A. Every Household with a Broadcast-Dependent Television Set Should be Eligible for a Coupon

NITA has concluded based on its reading of the Act and the relevant legislative history that households eligible for the digital-to-analog converter box coupon would be limited to those that are broadcast-dependent only. In other words, "households that receive cable or satellite television service would not be eligible even if they have one or more analog-only television receivers not connected to such service."³⁶ APTS believes this interpretation reflects an unfortunate misreading of both the Act and its purpose as reflected in its legislative history. Accordingly, APTS urges NTIA to reconsider this policy.

Nowhere in the language of Section 3005 does Congress authorize NTIA to distinguish between different kinds of households or to impose additional eligibility criteria for coupons. In fact the law authorizes the Assistant Secretary to implement and

³⁶ 71 Fed. Reg. at 42068.

administer a program “through which *households* in the United States”³⁷ may obtain the coupons, whose purpose is to “convert any channel broadcast in the digital television service” into a format that “*the consumer* can display” on analog television sets.³⁸ The reference to “households” in general terms, and without any limiting definition of the term in the Act, naturally refers to all households who require equipment to convert digital signals to analog format. This interpretation is supported in the same Act where Congress again referred to “a household,” again without qualification or definition, when it established the timing for when households should make claims for coupons.³⁹ Additionally, Congress made it clear that the purpose of the program is to convert digital broadcast channels to analog for the benefit of “the consumer,” again without further elaboration or qualification as to which consumers would be eligible.⁴⁰ In this regard, Congress’ stated purpose was to ensure the continuity of television service for any household. If Congress had intended otherwise, it would have limited or qualified the term “household” or “consumer” in a way to restrict eligibility. It is telling that Congress did no such thing.

The legislative history of Section 3005 supports the position that NTIA is not authorized to distinguish among different kinds of households or to otherwise restrict eligibility. In the Conference Report accompanying the Act, Congress made it clear that the purpose of the coupon program was to “help consumers who wish to continue

³⁷ Section 3005(a) (emphasis added).

³⁸ Section 3005(d) (emphasis added).

³⁹ “A household may obtain coupons by making a request as required by the regulations under this section between January 1, 2008, and March 31, 2009, inclusive.” Section 3005(c)(1)(A) (emphasis added).

⁴⁰ Section 3005(d).

receiving broadcast programming over the air using analog-only televisions not connected to cable or satellite service.”⁴¹ The reference to “analog *televisions* not connected” to cable or satellite makes it clear that Congress wanted to ensure that all unconnected television sets continue to work after February 17, 2009. Importantly, Congress focused on the television sets that are not connected to cable or satellite, rather than on households that would be unconnected. Elsewhere in the legislative history Congress again focuses on the distribution of coupons to “each” consumer and speaks of “consumers” generally and without distinction or qualification.⁴²

While it is true the same Conference Report discusses facts and figures relating to the number of households that rely exclusively on broadcast television, the purpose of this discussion is to note that the February 17, 2009 “firm deadline” will have “little impact on most television households.”⁴³ Apart from this passing reference, there is no indication that Congress intended NTIA to possess the power to distinguish among different kinds of households. Indeed, if Congress had meant to impart this authority, it would have expressly delegated it to NTIA. By way of contrast, Congress did expressly delegate to NTIA the power to promulgate regulations concerning (a) the content and distribution of coupons, (b) consumer redemption of and retailer reimbursement for the coupons, (c) the types of eligible converter boxes, (d) certification, education and auditing of participating retailers, (e) consumer and retailer appeals, and (f) fraud mitigation procedures.⁴⁴ Again, it is telling that Congress specifically enumerated a list

⁴¹ House Report 109-362 (December 19, 2006), p. 201.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.* at p. 202.

of delegated tasks to NTIA. Defining an eligible household or distinguishing among different kinds of households is not one of these tasks. While it is understandable that NTIA would seek to limit the program to preserve scarce programmatic funds, and APTS is sympathetic to this need, Congress did not authorize NTIA to exceed its statutory mandate in order to achieve frugality.

B. NTIA Should Not Independently Impose Means-Testing to Restrict Eligibility for Coupons

NTIA requests comment on whether it should independently restrict eligibility for the digital-to-analog converter box coupons to households with a demonstrated “economic need” and, if so, how to measure such need.⁴⁵ However, NTIA rightly recognizes that this additional restriction is neither mandated by statute nor supported by the legislative history.⁴⁶ As demonstrated above, neither the statute nor the legislative history grants NTIA the authority to distinguish among households. For the same reasons NTIA cannot distinguish between broadcast-dependent households and connected households with one or more broadcast dependent television sets, neither may NTIA impose economic means-testing where it is not authorized by statute. This is further underscored by the fact that a specific provision to allow NTIA to conduct means-testing

⁴⁵ 71 Fed. Reg. at 42068.

⁴⁶ *Id.*

was proposed and then dropped from consideration as the bill was being crafted.⁴⁷

Accordingly, NTIA should not impose an additional constraint like means-testing where Congress has expressly considered it and rejected it.

C. Waste and Fraud Should be Avoided and Coupons Should Be Issued So That Consumers Can Easily Use Them Either in Stores or Online

NTIA has stated that to minimize fraud and counterfeiting, it will place unique identifying serial numbers on each of the digital-to-analog converter coupons.⁴⁸ Additionally, it has sought comment on whether it should issue electronic coupon cards instead of paper coupons.⁴⁹ Regarding serial numbers, the Conference Report accompanying the Act specifically suggests this means as an effective anti-counterfeit measure that NTIA could appropriately employ.⁵⁰ Regarding the use of electronic coupon cards, it should be noted that while the Act requires that the coupons be mailed to requesting households, nothing in the Act or legislative history requires that solely paper coupons should be used. Further, APTS believes unique serial numbers may help ensure the avoidance of fraud while still facilitating consumer use. APTS supports the goal of

⁴⁷ See, e.g. John Eggerton, “Analog TVs at 70M, Say Consumer Groups,” *Broadcasting and Cable* (June 29, 2005), available at: <http://www.broadcastingcable.com/index.asp?layout=articlePrint&articleID=CA622407>. See also John Eggerton, “Broadcasters Commit to DTV Hard Date,” *Broadcast and Cable* (July 12, 2005), available at: <http://www.broadcastingcable.com/index.asp?layout=articlePrint&articleID=CA624974>.

⁴⁸ 71 Fed. Reg. at 42069.

⁴⁹ *Id.*

⁵⁰ “The Managers expect NTIA to take additional measures to reduce fraud and abuse, such as including anti-counterfeit measures and perhaps unique serial numbers on the coupons.” House Report 109-362 (December 19, 2006), p. 202.

reducing fraud and abuse while ensuring consumer access, and APTS supports these and other means NTIA and other parties may suggest to accomplish this goal.

D. APTS Comment on Converter Box Specifications

NTIA has sought comment on its determination regarding the technical specifications that DTV converter equipment should possess in order to be eligible for the subsidy.⁵¹ The Act provides a definition of a “digital-to-analog converter box” eligible for subsidies:

“DEFINITION OF DIGITAL-TO-ANALOG CONVERTER BOX—For purposes of this section, the term “digital-to-analog converter box” means a stand-alone device that does not contain features or functions except those necessary to enable a consumer to convert any channel broadcast in the digital television service into a format that the consumer can display on television receivers designed to receive and display signals only in the analog television service, but may also include a remote control device.”⁵²

Additionally, the Conference Report further authorizes NTIA to promulgate additional regulations concerning “the types of converter boxes that shall be eligible for purchase with a coupon.”⁵³

Pursuant to its authority, NTIA has proposed that eligible converter boxes be able simply to “receive, render and display usable pictures and sound from high definition as well as standard definition broadcast,” provided, however, that such converter boxes

⁵¹ 71 Fed. Reg. at 42069, et. seq.

⁵² Section 3005(d).

⁵³ House Report, 109-362, p. 202.

“would not be required to render pictures and sound at more than standard definition quality.”⁵⁴ NTIA also proposes that eligible boxes:

- (a) possess only one antenna-only input and then output the processed signal in standard-definition for the analog display;
- (b) deliver analog composite video and stereo audio to drive analog monitors;
- (c) deliver channel 3 or 4 switchable RF output for television receivers;
- (d) comply with FCC requirements for closed captioning, Emergency Alert Systems and required parental controls;
- (e) be capable of being operated by a remote control;
- (f) tune to all television channels 2-69.⁵⁵

APTS supports these proposed specifications as consistent with sound policy and the mandates of Federal law. APTS also agrees that eligible converter boxes must meet or exceed the ATSC Receiver Performance Guidelines standard at A/74 to maximize consumer benefit and to minimize the return of poorly performing equipment to retailers. However, APTS also supports four additional changes discussed below.

First, while Federal law and policy clearly envisioned that only a stripped-down converter box would qualify for the subsidy, it is arguable that this relates only to the physical attributes of the converter box at the time of sale. To ensure consumer acceptance and full functionality, NTIA should not preclude the possibility of allowing eligible converter boxes to possess software or hardware capability that would allow for upgrades or software fixes after retail sale. One way to ensure that converter equipment can be repaired or upgraded through software updates is to use the current ATSC A-97 digital television software download standard developed by the television industry

⁵⁴ 71 Fed. Reg. at 42070.

⁵⁵ Id.

specifically for this purpose. With over-the-air downloads, potential glitches or software “bugs” could be fixed before the consumer is even aware of them and without any action by the consumer. Software downloads can also accommodate any potential future changes to V-chip parental control ratings as they may develop.⁵⁶

Second, NTIA rightly states that eligible converter boxes should be capable of receiving and decoding and presenting all video and audio portions of the ATSC signal. However, within the ATSC signal, a broadcast station may also provide program-related and non-program-related data. Program-related data includes Program and System Information Protocol information, V-chip information, closed captions and video descriptions for persons with disabilities, second language audio, etc. Additionally, critical non-program-related material, such as public safety alerts and warnings, may also be provided over the data stream transmitted by broadcasters. To ensure that analog broadcast-dependent sets are adequately converted, and to ensure that the relevant households enjoy the full public services of digital broadcast technology, NTIA should not unnecessarily prohibit eligible equipment from being able to receive, decode and present data of this sort.

Third, NTIA should recognize that some portions of the United States will continue to receive analog television broadcasts even after all full-power analog television stations are required by statute to cease broadcasts. In this regard, millions of

⁵⁶ Many other countries presently require this capability. In the United Kingdom, the industry consortium “Digital Television Group” uses BBC television broadcast frequencies to allow manufacturers to download software updates to receivers. See http://griffin.dtg.org.uk/retailer/download_schedule.pl. In Japan, a government-organized consortium delivers over-the-air updates to digital television devices using broadcast bandwidth from NHK. See <http://www.nhk.or.jp/strl/publica/dayori-new/en/n-0012-1e.html>. Similarly, in Germany and Austria, this capability is required in all digital television receivers. See http://www.digitallaw.net/switchoff/berlin_project_report.pdf#search='Digital%20Terrestrial%20Transmission%20Berlin%20Brandenburg', and http://www.ors.at/rte/upload/pdf/05ird_guidelines_v42.pdf#search=%22italy%20subsidized%20DTV%20basic%20converter%22.

U.S. households in rural areas rely on low-power analog “translator” stations that repeat and extend the signal of full-power stations located in distant urban centers. These low-power translators are undergoing a digital transition of their own, but one that does not at present involve any mandatory analog cessation date. If a rural household were to receive its broadcast television from a mix of full-power transmissions and low-power translator stations, such stations could possibly lose some television service despite the presence of a subsidized converter box. Because the converter box would typically contain only one tuner, it would only receive the transmissions of full-power digital stations for display. It would not receive the low-power analog translator transmissions. Such households would find that when using their subsidized converter box, they would lose access to analog translator transmissions. To remedy this, a home in this situation would have to install an A/B switch to switch from the converter box tuner (to receive digital transmissions) to the existing television set’s own analog tuner (to receive analog translator transmissions). This is not a consumer-friendly solution and should be avoided. Accordingly, APTS suggests that NTIA allow eligible converter boxes to contain a built-in and easily workable A/B switch.

Fourth, NTIA seeks comment on whether it should consider energy standards in determining the type of converter box that would be eligible for the subsidy.⁵⁷ APTS supports the creation of a comprehensive Federal regulation concerning energy standards for DTV converter boxes. Such regulation should be comprehensive enough to occupy the field of regulation for such devices and should be national in scope to ensure consistency and to encourage manufactures to create products for a truly national market. APTS views with concern the effort by California and other states to impose their own

⁵⁷ 71 Fed. Reg. at 42070.

diverse and unrealistic energy standards on consumer devices of this sort. If each state, or even just a few of the most populous states, were to successfully implement such regulation, manufacturers would find it difficult to produce a product to conform to these diverse regulations, and even if produced, it is likely that the resulting converter box would be more expensive than it needs to be. APTS would like to see a uniform regulation of energy standards for such devices to encourage the creation of a market for converter boxes and to ensure that they remain an affordable means to preserve television service to the millions of televisions that rely on analog broadcast transmissions. APTS therefore encourages NTIA to work closely with the EPA to ensure that EPA's Energy Star program, or another national standard, applies to DTV converter equipment and that it has sufficient preclusive effect on state regulation.

Conclusion

With the nation-wide shut-off of analog broadcast television approaching within 30 months, a comprehensive means of consumer education and outreach should be established. This initiative needs to reach those who would likely be most adversely affected where they live and work. This includes Americans living in many rural portions of the country, minorities, older Americans, lower-income families, and persons with disabilities. Public television stations possess the means and decades of experience engaging these constituencies with effective local educational outreach. Public Television's local roots and national scope are ideal tools with which to initiate the kind of comprehensive consumer education campaign that Congress envisioned, which is desperately needed if the DTV switch-over is to succeed.

APTS and local public television stations stand ready to assist NTIA in any way possible. To this end, APTS is interested in working with other parties to provide "turn-key" management capability that utilizes the local power and reach of public television's media and outreach capabilities to bring the DTV transition to a successful conclusion.

Additionally, on behalf of its members public television stations, APTS supports the following policies. First, eligible households for the converter box program should not be limited solely to households without any cable or satellite connections. Second, NTIA should not independently impose an economic means-test on coupon applicants. Third, APTS supports measures to reduce fraud and to ensure consumer acceptance. Fourth, while APTS supports the proposed converter box technical specifications, APTS also urges NTIA to: (a) allow eligible converter boxes to possess software or hardware capability that would allow for upgrades after retail sale; (b) ensure that converter

equipment is capable of receiving, decoding and presenting program-related and non-program public safety data; (c) allow eligible converter boxes to contain a built-in A/B switch to facilitate reception and display of both analog and digital signals in rural areas; and (d) work closely with the EPA to ensure that EPA's Energy Star program, or another national standard, applies to DTV converter equipment and that it has sufficient preclusive effect on state regulation.

/s/ Lonna M. Thompson
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September 25, 2006

Appendix A

Industry and Public Interest Coalition Letter to NTIA

June 2, 2006

Mr. John M. R. Kneuer
Acting Assistant Secretary
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Room 4898
Washington, D.C. 20230

Dear Mr. Kneuer:

Nearly a decade ago, Congress set the course to modernize our nation's television broadcast system in order to provide for more efficient management of scarce spectrum, to free up additional spectrum for public safety uses, and to bring the benefits of digital technology directly to American homes. Most recently, Congress has enacted and the President has signed the "Digital Television Transition and Public Safety Act of 2005," which creates a hard date of February 17, 2009, for the cessation of analog television broadcasts, ushering the final steps toward modernization. To ensure that the millions of American households that rely on television broadcast reception do not suffer unnecessary hardship when analog transmissions cease, the Act creates a voucher system for each household to use, on request, up to two \$40 coupons towards the purchase of digital-to-analog converter equipment.

As you are well aware, the Act charges the Commerce Department, specifically the National Telecommunications and Information Administration (NTIA), with the task of formulating and managing the voucher program and mandates a \$5 million consumer education initiative "concerning the digital television transition and the availability of the digital-to-analog converter box program." As you and your talented staff prepare the Notice of Proposed Rulemaking on these important matters, we want you to know that, a coalition of concerned industry and public-sector organizations have united in a public private partnership to support core guiding principles for this initiative.

In order for this digital television transition to be successful, consumers must be well-informed and primed to adapt successfully to the new technology. This cannot occur unless there is a comprehensive, coordinated and harmonized national consumer education effort. The need for such an effort is underscored by the continuing degree of confusion that exists among ordinary, and even technologically savvy, consumers. Indeed, the Government Accountability Office has highlighted the importance of a clear and unified message, disseminated widely across media and non-media outlets, and through such avenues as community centers, libraries, toll-free information lines and the Web. In short, we must begin promptly and comprehensively to reach the American consumers with concise, coordinated, simple to understand information - involving all facets of private and public stakeholders in such an effort.

The undersigned coalition members stand ready to assist the NTIA and actively participate in the task of formulating and managing the consumer education efforts for a successful digital television transition. It is important to point out that the cost of the successful administration of this program will far exceed the five million dollars appropriated for consumer education in

order to provide citizens with the necessary and coordinated information to allow them to meet the day of transition without any disruption of their over-the-air television service.

In addition the NTIA should allow consumers to purchase their consumer equipment online, if desired, for instance by mailing to requesting households two debit cards with unique identification numbers that can be tracked to ensure protections against fraud. In this regard, while the Act requires that the vouchers be mailed to requesting households, nothing in the Act requires that the vouchers be printed on paper. In fact, the use of electronic debit-cards would reduce fraud and would recognize the reality of online consumer purchasing behavior.

The coalition members stand ready to assist the NTIA with the formulation of policy and with the management of its consumer education program. We look forward to participating in the forthcoming formal rulemaking, which will have a critical impact on whether the transition to digital television is a success in this country.

Sincerely,

Alliance for Public Technology

Alliance for Rural Television

American Library Association

Association of Public Television Stations

Big Idea Inc.

Consumer Electronics Association

Consumer Electronics Retailers Coalition

Entravision Communications Corporation

Harris Corporation

ION Media Networks

LG Electronics USA, Inc.

National Alliance of State Broadcasters
Associations

National Association of Broadcasters

National Consumers League

Public Broadcasting Service

Scholastic Inc.

Women Involved in Farm Economics

APPENDIX B

Consumer Education Efforts in Europe to Support Analog “Switchover”

Germany



- Broadcast spots.
- Captioned information.
- Local broadcast news and current affairs coverage.
- Letter sent to every home.
- Leaflets, brochures and newsletters distributed in local shops.
- Close communication with Berlin tenants’ association and local consumer associations.
- Telephone hotline.
- Internet web site.
- Information sessions with local retailers.
- Advertisements on buses and subways.

United Kingdom



- Creation of Digital UK (formerly SwitchCo), an independent nonprofit organization tasked with management of the technical switchover and with communications to the public.
- Communications program initiated three years prior to switchover in each region.
- Leaflet delivered to every UK household at least twice informing about the switchover and what needs to be done.
- Website (www.digitaluk.co.uk) and helpline set up to answer questions.
- Creation of an approved logo to designate products and services that are designed to work before, during and after the switchover process.
- Public service announcements aired simultaneously on the BBC and all main commercial TV channels.
- DigitAl, friendly robot starring in seven-year £200 million information and support program.
- Pilot switchover projects in limited regions to evaluate impact of analog cessation.
- Carefully managed government-sponsored or issued studies with public participation and feedback invited.

APPENDIX C

Public Television Outreach Surrounding the Broadcast of “The Forgetting,” a Documentary about Alzheimer’s (2004)

Source: <http://www.tpt.org/NPD/forgetting/awards.html>

AETN, Arkansas will partner with Alzheimer's Arkansas and the Arkansas Area Agencies on Aging for the following outreach and production activities:

- Conduct a workshop/retreat with the specific goal of training caregivers to train their peers.
- Attendees from across our rural state will then agree to hold workshops in their area implementing the information and ideas received in the workshop.
- AETN will produce the workshops' support materials, videotape it for future use and provide a videostream of the workshop on the Web.
- Produce a half-hour follow up to The Forgetting focusing on local resources available to the people on the front lines of Arkansas' Alzheimer's community, including patients, families, caregivers and medical professionals.
- AETN will create a companion Web site that will provide resources for anyone seeking information on the topic of Alzheimer's.
- AETN will use a variety of resources to create "buzz" for the national documentary and the local follow-up program in Arkansas. Media used will include newspaper and radio advertising, on-air promotion and direct mail.

KAET TV, Tempe, AZ — whose viewing area encompasses 85 percent of Arizona's population and a high percentage of Hispanic and Native American households — will emphasize minority and culture issues in Alzheimer's care in its activities and support. Specifically, the station will:

- Produce a half-hour follow-up production to The Forgetting, focusing on care and treatment programs available to the Arizona population and including information of special interest to the state's Native American and Hispanic communities.
- Produce a Resource Guide for Alzheimer's Care in Arizona, an information packet that will also be available in Spanish.
- Work with the Area Agency on Aging to organize discussion groups with Latino families to help them better understand the disease and provide care to loved ones.
- Conduct an extensive advertising and promotion campaign, including at important statewide and community events.

WUSF, Tampa, FL. With 60% of our primetime viewing audience over the age of 65,

WUSF will target its West Central Florida region and its elderly and retiree residents with the following activities:

- Local town hall meeting after *The Forgetting* with call-in session.
- Provide speakers and promotion for Special Forums through our Community Partners.
- A series of Alzheimer's news segments on our radio joint-licensee and Tampa NPR station, WUSF-FM.
- Initiate a Music Therapy program for Alzheimer's patients through the Florida Center for Creative Aging.
- Special Web page with links on the WUSF Web site.

WNIN, Evansville, IN, in collaboration with the Greater Kentucky and Southern Indiana Chapter of the Alzheimer's Association, will help churches and other faith-based organizations establish Alzheimer's caregiver support groups and respite services in rural communities in the following ways:

- Mail information packets and workshop invitations to approximately 1,000 churches and other faith-based organizations.
- Host three workshops for clergy, parish nurses, and other church leaders in different parts of the region.
- Produce a local television program and related Web site content in conjunction with *The Forgetting*.
- Produce and air public service announcements to continue sharing the messages about Alzheimer's disease, the needs, and local opportunities to help.
- Evaluate outcomes through research by the University of Southern Indiana's School of Nursing, so that future efforts can benefit from the lessons learned.

KET, Louisville, KY will target its Eastern Appalachian and coal-mining region and its African-American Louisville residents with the following activities:

- Local follow-up program and Web site.
- Host preview screening/discussions with local African-American churches.
- Present *The Forgetting* project along with outreach kits to all KY caregiver support group leaders.
- KET Friends Board will host at least 10 community events across the state in conjunction with the Alzheimer's Assoc. Speaker's Bureau.

WLPB, Louisiana Public Broadcasting will partner with Alzheimer's Services of the Capital Area, the East Baton Rouge Council on Aging, and Our Lady of the Lake Regional Medical Center Elderly Care Services for the following outreach:

- Provide information to support group facilitators of Caregiver Network meetings in a ten parish (county) area of Louisiana.
- Distribute print materials and resources via the Web.
- Conduct screenings at area Lunch 'n Learn programs for caregivers and patients.
- Sponsor the 2003 Celebration of Caregiving during November, Alzheimer's Awareness month.
- Launch a telephone support service for Alzheimer's patients and their caregivers.
- Broadcast the program and the follow-up show with localized support services information.

WCMU, Mt. Pleasant, MI, will focus its efforts on reaching patients, caregivers and professionals in their rural coverage area that serves central and northern Michigan. WCMU's goals include:

- Increase incidence of early diagnosis by training physicians to recognize early symptoms and making the public aware of early symptoms and the importance of early diagnosis.
- Improve quality of life for persons with Alzheimer's and their families by making them aware of resources available in their communities.

WCMU's project has five main components:

- A professional development teleconference and Web cast for physicians.
- Production of Public Service Announcements geared toward physicians and individuals.
- A half-hour local television program to follow The Forgetting.
- A series of radio interviews.
- A regularly updated information "packet" for patients and their families that physicians can download from the Internet on an as-needed basis.

WGVU Public TV & Radio, Grand Rapids, MI. By focusing on non English speaking Latinos, a population more at risk to develop and less likely to seek help for Alzheimer's, WGVU will create for all citizens in its coverage area an awareness of and appreciation for the resources available to cope with the disease. Activities will include TV & radio programming in both Spanish & English, Web resources, and the

distribution of educational materials through businesses, organizations and at literature fairs.

Mississippi Educational Broadcasting plans to:

- Create a localized resource booklet that will have the contact information caregivers can access for assistance with Alzheimer's-related questions.
- Host an Alzheimer's Information Fair.
- Participate in the local Memory Walk.
- Host teen and rural law enforcement workshops.
- Produce a local follow-up program.

KCPT, Kansas City, MO

- KCPT presents two Caregiver Empowerment Workshops for African American and Hispanic Caregivers.
- Specifically designed for two constituencies of caregivers inadequately served by Alzheimer's groups in Kansas City, the half-day events will feature original drama, speakers, lunch and free adult day care for loved ones.
- KCPT recognizes and celebrates a large group of Alzheimer's caregivers that are currently ignored in any organized support programs in Kansas City...children!
- KCPT and its coalition partners launch "I'M A HELPING HAND: CELEBRATING KC KIDS," a half day event for forty child caregivers, featuring pizza, ice cream, original drama, a craft, speakers and "Thank You" gift bags donated by area businesses.
- KCPT hosts a local follow up program to *The Forgetting* and provides a live phone bank of 18 caregiver professionals to answer questions brought up by the national documentary and point viewers to relevant community resources.

KMOS, Warrensburg, MO, will target its rural and growing immigrant populations with the following activities:

- Partner organizations will provide a minimum of 12 workshops on Alzheimer's related topics throughout the broadcast area, crafted to meet the needs of the rural community.
- Four of these communities have been identified with large Hispanic populations. A translator will be present at these sessions.
- A toll-free phone number will be available throughout the project and beyond, providing a phone avenue for questions and guidance for resources to the public.

- A benefits check-up will be available to all area residents to provide guidance and support for their personal benefits planning.
- Respite services will be provided upon request to primary caregivers desiring to attend workshops.
- 30-45 second interstitials with thought/action-provoking information will be produced and aired on KMOS prior to and beyond *The Forgetting* broadcast in 2004.
- Partner agencies will host Senior Center viewing parties of *The Forgetting* at area facilities.

MontanaPBS will target a very rural audience with the following:

- Multiple satellite discussion sites led by Extension and/or AARP representatives to be used during airing, questions generated to be used in follow-up programming.
- Statewide follow-up program and Web site with emphasis on available services, both medical and living support, in Montana.
- Dissemination of all Outreach materials throughout the AARP and MSU Extension network.

KLVX Las Vegas, NV -- KLVX in southern Nevada is supporting THE FORGETTING with a locally-produced follow-up program, "Memory Lane," and a Night Out for Care Givers :

- Memory Lane. A 30-minute magazine format production which will highlight the positive steps being taken in southern Nevada to help the victims and caregivers of Alzheimer.
- A Night Out for Care Givers. KLVX will partner with the local Alzheimer Association and a local non-profit theater company to provide approximately 50 caregivers a chance to take an evening off and attend "Super Summer Theater." KLVX, in cooperation with the local Alzheimer Association, will provide nurses and/or trained individuals to watch over the Alzheimer's patients as the primary caregivers gather at the studios where a bus will be provided to take them to a nearby state park where "Super Summer Theater" will be presenting an outdoor musical. Families are encouraged to bring a picnic lunch and their sense of humor.

WENH, New Hampshire Public Television, Durham, NH's publicity, promotion, and outreach efforts overall will seek not only to bring the largest number of viewers to the broadcasts, but to connect viewers to other resources and in-state opportunities for education and support. The main goals of New Hampshire Public Television's outreach activities surrounding the broadcast of *The Forgetting* in the Granite State will be:

- To publicize information about the condition and its social and familial impact.

- To encourage adults who may be caring for elderly parents or approaching old age themselves to speak openly about Alzheimer's.
- To encourage people to train as volunteers and offer assistance to families dealing with Alzheimer's.

NHPTV will accomplish these goals:

- Through the production of a companion local half hour of our award-winning nightly newsmagazine focusing on Alzheimer's in New Hampshire.
- By working with other state groups to organize viewing and discussion sessions.
- Through publicizing volunteer training sessions for individuals interested in providing caregiver respite.
- By localizing the national follow-up program to *The Forgetting*.

KNME-TV Albuquerque, NM, in collaboration with KRWG-TV (Las Cruces) and KENW (Portales) will present a statewide town hall as a follow-up to *The Forgetting*. Our goal is to serve the broad rural, diverse population of New Mexico. Our plan:

- Through broadcasting, provide information over large rural area through three-station statewide broadcast.
- Appeal to and target Native American and Hispanic populations.
- The town hall, held in KNME-TV studios, will feature guests/groups from around New Mexico and incorporate short, pre-produced field packages.
- Co-producer New Mexico Alzheimer's Association will have Web-based information to support and broaden information covered by the town hall broadcast.

Thirteen/WNET New York, NY's outreach will target the general public of all ages and community service and health care professionals in the greater New York region, one of the most diverse areas in the country. Since the 1990 Census, the city has seen an 18.7 percent increase in its population over age 85, the group hardest hit by Alzheimer's. During the same period, the population of elderly minorities increased by 32 percent. Outreach activities will include:

- Hosting a screening and panel discussion for the general public in partnership with the Queens Borough Public Library, located in New York's most diverse borough.
- Hosting a screening and forum for community service and health care professionals.
- Local Web pages and localization of the follow-up program.

- Distributing print materials on Alzheimer's and caregiver issues at outreach events and through partner organizations.

UNC-TV, North Carolina will make *The Forgetting* an integral part of the three-year statewide Health Focus campaign being launched in September. Outreach components surrounding the project will include:

- A Safe Return of the Wandering — a pilot program designed and conducted by the Eastern North Carolina Alzheimer's Association, the Raleigh Police Department, the Wake County Sheriff's Department and the Bureau of Missing Persons to assist law enforcement officers — will be tested and implemented.
- *N.C. NOW*, UNC-TV's nightly news program will do a week of special segments and Newsmaker interviews prior to the broadcast. The Web and postcards available at conferences and meetings solicit the topics that viewers would like addressed.
- Special bookmarks will direct viewers to the Web site and will be distributed along with print materials at statewide and local conferences.
- Kits for preview screenings will be made available for community events.

WGTE, Toledo, OH will hold a screening event of *The Forgetting* with a speaker who will present information about the individual and community impact of Alzheimer's disease. This will be followed by an informational fair with tables hosted by various service providers in the community. Other activities include an on-line resource directory on a special Web page and customization of the follow-up broadcast.

Oregon Public Broadcasting will partner with the State of Oregon's Association of Area Agencies on Aging and Disabilities on the following outreach activities around *The Forgetting*:

- Production of a local three-part radio series on Alzheimer's issues.
- Production of local follow-up program and/or Web site.
- Distribution of *The Forgetting* materials at Alzheimer's Memory Walks in fall 2003.
- Preview/screening event for representatives from the State of Oregon's Association of Area Agencies on Aging and Disabilities.
- Coordination of *The Forgetting* viewing parties through partnership with the State of Oregon.
- Customization of outreach materials with local Alzheimer's Association's toll-free phone number.

WHYY, Philadelphia, PA will feature *The Forgetting* as a highlight of its focus on Alzheimer's in 2004. To expand awareness, WHYY will provide the following outreach activities:

- Offer a local resource guide and phone bank around the program in collaboration with Caring Community, WHYY's volunteer coalition of more than 85 nonprofit organizations, universities, government agencies, faith-based organizations and healthcare systems focusing on caregiving, chronic illness and end-of-life.
- Produce a one-hour radio special on Alzheimer's which will be offered to public radio stations — an opportunity for collaboration and cross-promotion by joint licensees and independent public broadcasting stations serving the same market.
- Host a town meeting on caregiving and Alzheimer's which will be Web cast live for online participation.
- Please join us on radio and the Web to expand awareness about Alzheimer's and enhance station outreach around *The Forgetting*.

KUHT Houston, TX -- HoustonPBS will partner with the Alzheimer's Association, the Texas Medical Center Library, and the Gulf Coast Texas Partnership for End-of-Life Care, for the following events and activities:

- Celebrating the Journey of Life ('Day of the Dead') event targeting Hispanics.
- Alzheimer's Conference targeting professionals, caregivers, and early stage individuals.
- Local follow-up program and web pages.
- During broadcast, support of viewers through phone bank of health care and related professionals by providing immediate answers to questions and distribution of resource materials.
- Seminars on how to talk to a physician about Alzheimer's disease.

KUED Salt Lake City, UT, As a result of a recent study on the needs of Utah's senior citizens, KUED's goal is to blanket Utah's urban and rural areas with basic caregiver resource information. KUED's outreach plan for *The Forgetting* consists of four main elements:

- A locally-produced live broadcast with a phone bank staffed by volunteer experts from the Utah Coalition of Caregivers.
- A free caregiver's resource packet offered through the local broadcast, with additional copies distributed by community partners and at the half-day caregiver workshop.
- A half-day caregiver workshop.
- A local Web site.

KUED also plans to provide VHS copies of *The Forgetting* to public libraries throughout the state of Utah.

KSPS, Spokane WA, will target our general viewing audience and several constituent groups in the U.S. Pacific Northwest and Canada — specifically the low income rural agriculture areas, Ukrainian immigrants and Native American tribes within our market. The activities we plan include the following:

- Sponsorship of the Memory Walk to aid the local chapter of the Alzheimer's Association.
- Live local call-in program and Web site with quiz connections and question lines hosted by area physicians.
- 5 to 10 Preview Screenings/info meetings.
- Speakers Bureau/Presentations in various schools, health care facilities and extension offices throughout the rural areas we serve.
- Resource Booklet featuring Alzheimer's information distributed throughout viewing area and at all screenings/meetings.
- Launch of our Program Club with Borders using *The Forgetting*.
- Education content/lesson plans for Collegiate, Nursing and High School health classes.
- Information/Activity Fair with a Day Out for family members and activities for patients.
- Series of 10-15 Alzheimer's Awareness interstitials.
- Rebroadcast of several Alzheimer's programs including [*And Thou Shalt Honor*](#), [*Alzheimer's: Is There Hope?*](#), and [*Complaints of a Dutiful Daughter*](#).
- Proclamations for National Alzheimer's Awareness Month in November.
- Editorial Support in various regional publications.
- Electronic and Print advertising promotion.

West Virginia Public Broadcasting, in partnership with the West Virginia Chapter of the Alzheimer's Association, will focus on the high percentages of Alzheimer's patients in the state, and will feature outreach activities and information targeted to reach the caregivers and families of these patients as well as provide information to the public about the disease and its impact on the future of the state.

Planned activities include:

- Town meetings around the state to raise awareness, provide resources and to gather information about the concerns of the public related to Alzheimer's.

- Informational spots on both WV PBS and West Virginia Public Radio.
- First-ever statewide Caregiver Handbook, providing agencies and contact information in an easily accessible format.
- "Memories in the Making" project headed by WV Alzheimer's Assoc. staff, utilizing local artists who will help Alzheimer's patients express themselves through art activities focusing on what the individual can do, not the functions they may have lost.
- Awareness through our "Pubcaster" monthly magazine, Web site, press releases, flyers, member mailings, and tune-in cards.
- Library copies of The Forgetting placed at resource centers around the state.
- Preview events for the public, legislators, and staff, including one to feature the "virtual dementia tour," a firsthand look how Alzheimer's patients may experience their world.
- A new statewide program on aging will premiere near the air date for The Forgetting, and is scheduled to feature Alzheimer's as its first topic as well as some words from David Schenk.
- The Forgetting will be featured on the cover of our member magazine and will also be a Program Club pick for January, allowing for additional promotion through our Program Club contacts.