

1 FEDERAL COMMUNICATIONS COMMISSION

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4 CONSUMER ADVISORY COMMITTEE MEETING

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8 Room TW-C305

9 Federal Communications

10 Commission Building

11 445 12th Street, S.W.

12 Washington, D.C.

13 Friday, January 30, 2009

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15 The committee met, pursuant to notice, at

16 9:08 a.m., Debra Berlyn, Chair, presiding.

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1 P R O C E E D I N G S

2 WELCOME AND CALL TO ORDER

3 CHAIRPERSON BERLYN: If our CAC members
4 could take your seats, please, we're going to start.

5 Welcome, everyone. Good morning.

6 This is the first meeting of our new old
7 CAC, the old new CAC. The new adventures -- what do
8 we call this, the new adventures of the old CAC?

9 I'd like to welcome all of you. Many of
10 you have sat around this table before just a few
11 short months ago. But we do have a few new folks to
12 welcome. First, Lise Hamlin, welcome. She is our
13 new representative for the Hearing Loss Association
14 of America. Lousy, you want to raise your hand.
15 Thank you for joining us.

16 Jamie Hedlund, I saw you before, Jamie.
17 Jamie is the new representative for Consumer
18 Electronics Association.

19 Irene Leech. Irene, welcome -- is the
20 new representative for Consumer Federation of
21 America.

22 So welcome to all of you, and welcome

1 back, everyone else. We have a very full program
2 today, as you can see from the agenda.

3 I also want to thank the National
4 Association of Broadcasters for kicking off our
5 refreshments today, our breakfast and our lunch. We
6 very much appreciate that.

7 Again, we have a full agenda, of course,
8 because the digital transition is foremost in almost
9 all of our minds. We may potentially be just two
10 short weeks away from the transition, a little over
11 two weeks away from the transition, or we may not be
12 just a little over two weeks away from the
13 transition.

14 I just want to let you all know that we
15 know we've seen sort of a ping-pong game going on in
16 the past week in Congress with delaying the
17 transition, and I have asked Scott to check and see
18 if we could have someone here at the FCC update us on
19 what's been happening in Congress, because there has
20 been a lot going on. And some of us have been
21 following that. I know some of us around here have
22 been following that as well, and we might be able to

1 offer a little tidbit about what we know that has
2 been going on on the Hill. But I thought that might
3 be helpful if we get that updated this morning, so we
4 will be seeing if we can get someone to come and tell
5 us the very latest about what is happening, so that
6 we will get a sense of how likely it is that the
7 transition will be delayed. So we will be talking a
8 little bit more about that.

9 I'm going to turn things over now to
10 Scott Marshall to tell us a little bit about the
11 logistics this morning.

12 MEETING LOGISTICS

13 MR. MARSHALL: Good morning, everyone.
14 Welcome back. This is really a new time for us here
15 at the FCC, as you know. It's also a new time for
16 CAC. This is the fifth meeting of a new term. CAC
17 started in late 2000 and early 2001. Some of you
18 around this table have been with us since day one.
19 Thank you very much, and I also welcome those of you
20 that are new and returning. If we can help with
21 anything, Betty Lewis, my assistant Betty -- if she's
22 in the room, maybe she can identify herself. She's

1 not, okay. Well then, just grab me and I'll do
2 whatever it takes.

3 Further, if you're looking for rest rooms
4 and so forth, just out this door to my right, down
5 the short corridor, and then to your left.

6 Again, welcome. If we can do anything to
7 make the meeting more conducive, let us know.

8 CHAIRPERSON BERLYN: Thank you, Scott.

9 This is usually the time when we have
10 remarks from our Commissioners. We do know that
11 Chairman Copps is going to be coming down and
12 speaking to us. I just heard from his staff and he
13 will be down at 9:30. And I do believe that
14 Commissioner Adelstein is also going to be coming
15 down and speaking to us today. He may be here before
16 9:30. So this is a time when we kind of juggle.

17 Tony Wilhelm is also supposed to be
18 joining us and he will also be here around 9:30. So
19 as we all know, those of you who have been around the
20 table before, we always do a little bit of a juggle.

21 At one point in the day we are early and on our
22 agenda. Then all of a sudden we are running very

1 late on our agenda.

2 MS. PELTZ STRAUSS: We could introduce
3 ourselves.

4 CHAIRPERSON BERLYN: That would be a
5 wonderful idea. Thank you, Karen, excellent. We
6 should introduce ourselves.

7 VOICE: We could do it very slowly.

8 CHAIRPERSON BERLYN: Or we could do it
9 very quickly, suddenly.

10 So let's introduce ourselves, and I will
11 start. I'm Debra Berlyn and I am chairing the CAC,
12 and I'm representing the DTV Transition Coalition.

13 MS. ROOKER: I'm Shirley Rooker. I'm the
14 President of Call for Action and I'm the Director of
15 the WTOP Radio's Call for Action.

16 MR. ELLIS: I'm Rich Ellis from Verizon.

17 MR. McELDOWNEY: Ken McEldowney from
18 Consumer Action.

19 MR. ISETT: I'm Dan Isett with the
20 Parents Television Council.

21 MR. STEPHENS: I'm Brandon Stephens with
22 the Eastern Band of Cherokee.

1 MR. BENTON: I'm Charles Benton of the
2 Benton Foundation.

3 MR. ROESCH: I'm Harry Roesch with the
4 Appalachian Regional Commission.

5 MS. DONEGHY: Marti Doneghy, AARP.

6 MR. WILEY: Doug Wiley, National
7 Association of Broadcasters.

8 MS. BOBECK: Ann Bobeck from the National
9 Association of Broadcasters.

10 MR. HEDLUND: Jamie Hedlund, Consumer
11 Electronics Association.

12 MR. RECHENBACH: Jeff Rechenbach of
13 Communications Workers of America.

14 MR. GILLUM: Brad Gillum, Dish Network.

15 MR. CRAIG: Lew Craig, Office of Attorney
16 General, Alaska.

17 MS. PENNINGTON: Brenda Pennington,
18 National Association of State Utility Consumer
19 Advocates.

20 MS. LEECH: Irene Leech, Consumer
21 Federation of America.

22 MS. HEPPNER: Cheryl Heppner, Northern

1 Virginia Resource Center for Deaf and Hard of Hearing
2 Persons.

3 MR. STOUT (through interpreter): Hello.
4 I am Claude Stout and I'm with the Deaf and Hard of
5 Hearing Consumer Advocacy Network.

6 MS. HAMLIN: I'm Lousy Hamlin. I'm from
7 the Hearing Loss Association of America. And I would
8 ask that people speak directly into the mike, because
9 when you're far away I can't hear you very well.
10 Thank you.

11 MS. PELTZ STRAUSS: Karen Peltz Strauss,
12 Communications Service for the Deaf.

13 MS. TRISTANI: Good morning. Buenos
14 dias. Happy New Year. I thought I would slow this
15 down. Happy Inaugural.

16 I'm Gloria Tristani. I'm here for the
17 Alliance for Community Media.

18 MS. SANTINI: Good morning, everyone.
19 I'm Nixyvette Santini representing the National
20 Association of Regulatory Utility Commissioners.

21 MR. COLE: Good morning. John Cole with
22 the Hawaii Public Utilities Commission.

1 MR. BRIDGES: Good morning. Eric Bridges
2 with the American Council of the Blind.

3 CHAIRPERSON BERLYN: Thank you all. I
4 also have a sign-in sheet which I'm going to start
5 passing around as well.

6 I just noticed that Tony Wilhelm walked
7 in and, seeing he is first up on our agenda after the
8 Commissioners' time, as soon as you get coffee, Tony,
9 would you mind starting because Chairman Copps, who
10 is going to talk to us, is running late on his
11 schedule. So if that's possible, it would be great
12 if you could stop. We may have to interrupt you
13 halfway through and then continue after the Chairman.

14 Is there a spot where there's a mike?
15 This would be great, right here, Tony.

16 Thank you. Welcome, Tony. We're
17 thrilled to have you here from NTIA to talk about how
18 the converter box coupon program is going.

19 DISCUSSION REGARDING THE COUPON PROGRAM

20 MR. WILHELM: Well, let me start by
21 saying welcome. Thank you again for the opportunity
22 to come before you. It's been an ongoing

1 conversation we've been having for a couple of years
2 about this program. It continues to evolve.

3 One thing I think is important to note is
4 obviously I'm still here. You've seen me before.
5 You'll probably see me again. That's a good thing.
6 I'm one of the two career directors on this program,
7 so myself along with Anita Wahlgren are the two day
8 to day directors. So we know the ins and outs of the
9 program. We know how to get things done.

10 We both report to a senior career person,
11 Dr. Bernadette McGuire Rivera. So there is
12 continuity and commitment to get this thing done.

13 We don't have a political appointee yet
14 in the agency. That's forthcoming. That'll happen
15 very soon. I'm not a spokesperson for the
16 administration, but we are having daily meetings with
17 the White House and with the Chairman and his staff.
18 So there is obviously direction and a commitment to
19 reenergize this program. Frankly, we do need the
20 extension. We do need more money for this program.
21 Those are good things, and we really appreciate the
22 renewed interest of the Chairman and his strong

1 involvement in moving this process forward. So
2 that's a very positive development.

3 So again just to repeat that. We have
4 day to day continuity of the program. We have people
5 on the ground that know how to get things done. From
6 the political perspective in terms of getting
7 direction, that direction is we need to extend this
8 program, we need more time to take care of the
9 millions of households that aren't ready for this
10 transition, those folks that haven't gotten their
11 coupons, those folks that are going to have a lot of
12 questions, technical and otherwise, about how to
13 navigate this complex process. Those folks are going
14 to be who we're going to be focusing on in the coming
15 weeks and months. So these are all very good
16 developments.

17 Again, we appreciate the Chairman and his
18 leadership. Day to day we're having very good
19 conversations, coordination, consultation, and I'll
20 talk in a minute about some more detail there, but
21 there's some very strong energy and synergy between
22 NTIA and the FCC in terms of getting this stuff done.

1 Obviously, our number one priority at
2 NTIA is to get this waiting list liquidated, to get
3 it cleared. As of yesterday we had 3.3 million --
4 1.8 million households on this waiting list with
5 requests for about 3.3 million coupons. That's a big
6 list. The good news is about 1.8 million households
7 have actually come off the waiting list since January
8 4th.

9 So you're hearing in the media that the
10 program has run out of money and that's not quite
11 correct. What's happening actually is that we're
12 getting funds back from expiring coupons and those
13 funds are being used to fill new requests.
14 Unfortunately, the demand is outstripping the supply
15 of those recycled coupons and therefore the waiting
16 list is growing even though we are managing to get
17 coupons out on a daily basis. Unfortunately, the
18 waiting list is growing.

19 So obviously we need additional resources
20 to be able to liquidate that waiting list. We can't
21 do it with the existing resources and in fact we're
22 actually beginning to bump up against the funding for

1 the program in terms of the potential funds we get
2 back from any and all recycled coupons between now
3 and the end of the program. So we are at a point now
4 where we definitely need assistance. So we're
5 looking very closely at what's going on on the Hill
6 and we need those resources to take care of that
7 waiting list.

8 Let me just give you a brief overview of
9 our consumer education efforts, because again we're
10 stepping up those efforts. The funding is critical,
11 but let me just mention three things that we've been
12 doing.

13 Number one is in November we made two
14 awards to two very capable organizations that have
15 developed very strong partnerships around the
16 country. One is the Leadership Conference on Civil
17 Rights and Education Fund. They have, as of
18 yesterday, they've established 13 technical
19 assistance centers in 7 markets around the country.
20 This is a very good development. These centers will
21 actually assist -- this is the boots on the ground.
22 This is the hands-on assistance that I think we all

1 know is necessary to help vulnerable Americans get
2 through this transition by providing help on the
3 ground in terms of not just coupons, but also
4 technical assistance.

5 This is a very positive development.
6 These centers are in communities we need to reach.
7 They're in -- I actually was in Minneapolis a couple
8 weeks ago and visited the Lao center, so it's in the
9 Laotian community, helping Southeast Asian Americans
10 navigate this transition in the languages in which
11 they're comfortable. So they're doing a fantastic
12 job.

13 There's also a group focusing on the
14 Hispanic community in Minneapolis. But again, they
15 have these centers in seven major markets and we can
16 all discuss whether seven is enough. Obviously,
17 there are many markets. We were able to fund seven
18 of those.

19 Then the National Association of Area
20 Agencies on Aging, NAAAA, we provided resources to
21 that organization in November. They're actually
22 operational in 41 states plus the District of

1 Columbia, around 111 cities and communities across
2 the country. They're assisting seniors, elderly
3 Americans, with the transition, again providing
4 hands-on assistance through folks like Meals on
5 Wheels as they deliver meals, doing an intake process
6 with consumers to kind of assess their needs and help
7 them kind of end to end in getting this transition
8 taken care of.

9 CHAIRPERSON BERLYN: Tony, I just wanted
10 to mention to everyone that representatives from LCCR
11 and NAAAA are going to be here later this morning and
12 they're going to tell us a little bit more about
13 their project.

14 MR. WILHELM: Oh, good. I didn't know
15 that. I could have just made a more abbreviated
16 presentation on that. That's fantastic. So you know
17 about those awards. We're very excited to have them
18 be a part of our partnership.

19 Number two, we are having very good
20 conversations with the FCC and the private sector in
21 terms of coordinated call center activities. You
22 know, we have three or more numbers that are out

1 there. I think the real thrust is to make sure that
2 those are coordinated. One number is probably better
3 than three, but we're really trying to focus on how
4 to make the process as seamless as possible for
5 consumers, so they're not shuffled across many
6 different organizations trying to get service. So
7 again, we're working very hard on that.

8 We appreciate the private sector coming
9 forward with a very robust call center that they will
10 have in place in early February. You'll probably
11 hear more about that I imagine today, if not from the
12 Chairman, then others, from the representatives. So
13 that's a great development.

14 The FCC has just made an award to IBM,
15 which is great, to beef up their call center, and
16 then our call center is also active. Obviously, in
17 terms of the coupons the goal again is to synchronize
18 those call centers to make that as harmonious an
19 experience as possible for consumers.

20 So that's number two. Number three is we
21 are mapping out all of our consumer education
22 activities with the FCC. They're very active in

1 communities across the country, as are we,
2 particularly with our grantees. So we're trying to
3 get the best map possible of where those hands-on, on
4 the ground activities are taking place, and then
5 looking at where the gaps are, so again hopefully
6 there's additional funding and we'll be able to fill
7 those gaps in a timely basis with additional grants
8 to organizations that could make sure every community
9 across this country and household has the opportunity
10 to make this transition effectively.

11 Let me just end there. I know you have a
12 busy agenda and I don't want to get us behind from
13 the get-go. So I'll stop there, Debby, and take
14 questions.

15 CHAIRPERSON BERLYN: Thank you, Tony.

16 Let me just hold for one minute and
17 consult with Scott on our schedule. Just one second,
18 Tony. We may want to wait and hold for questions.
19 So give me one second.

20 Is that Lauri in the back there? Okay.

21 If you can hold, we may do questions. Do
22 you have some folks who can --

1 MR. WILHELM: I'll be here as long as you
2 need me.

3 CHAIRPERSON BERLYN: I'm sorry to do that
4 to you. If you could wait --

5 MR. WILHELM: Sure.

6 CHAIRPERSON BERLYN: We have Lauri. I'm
7 sorry, Lauri. Would you mind coming up just for a
8 moment? I know that you can't join us later. Lauri,
9 you're with the office here at the FCC. Why don't
10 you come on here if you don't mind. We'll make this
11 as informal as possible.

12 Lauri is with the FCC's Office of
13 Legislative Affairs. Lauri can't come and join us
14 later, so I wanted to take advantage of her ability
15 to join us right now so that she could give us an
16 update on what's happening with the DTV delay
17 legislation that's on the Hill.

18 So Lauri, if you could give us the
19 latest, because I know there was action last night
20 and even this morning from the President and we want
21 to get the very latest on what's going on. Thank
22 you, Lauri.

1 MS. HOLY-MAARBJERG: Sure. First, as you
2 all know, this has been a big back and forth over the
3 last couple weeks. It looks like things are winding
4 down. The Senate did pass by unanimous consent last
5 night the revised version.

6 As you know, the Senate had passed a bill
7 last week and then the House version was different
8 and so there was going to be the need to have the
9 Senate re-pass whatever the House intended to pass.
10 But this week when the revised bill in the House
11 failed to gain a two-thirds majority under the
12 suspension of the rules, that changed things a little
13 bit. So it looks as though the strategy is now that
14 the Senate passed the House amended version last
15 night and then it's my understanding that the House
16 intends to go to the Rules Committee on Tuesday and
17 get a rule for floor debate and have that debate on
18 Wednesday, and most likely try to pass the bill on
19 Wednesday.

20 They will only need a simple majority
21 under the rules that they're going to try to bring it
22 to the floor this time. So that means that they only

1 need 218 votes, which they had 258. So it looks as
2 though that, depending upon how the debate goes and
3 how the rule is structured, they likely would have
4 the votes to pass the bill this time around.

5 So the bills are -- I don't know how much
6 you have been following the language of the bills.
7 They didn't change that much from the House -- from
8 the original Senate version to the House amended
9 version. There were some minor modifications to the
10 public safety section and they added a provision for
11 the House to basically deal with a budgetary issue,
12 and so that's why there were differences.

13 But the language pretty well is that the
14 transition will be delayed until June 12th and that
15 the broadcasters would continue to have the
16 flexibility under the third periodic review to
17 terminate the analog as they're able to. Then
18 there's language specific to public safety that would
19 allow public safety entities to utilize their
20 spectrum if it's available to them if the broadcaster
21 terminates early. That's the general gist of it.

22 CHAIRPERSON BERLYN: Thank you so much,

1 Lauri. I really appreciate it because that is the
2 latest. Apparently there was also a statement from
3 the President this morning. Doug, you had mentioned
4 that you saw something that the President came out
5 with in support of the delay moving forward; is that
6 right? Thank you.

7 So this now again looks like it's going -
8 - we've gone in this peak and valley sort of thing.

9 MS. TRISTANI: If we have time.

10 CHAIRPERSON BERLYN: It looks like,
11 from my perspective, I think the next thing I'd like
12 to happen is that the Chairman will walk in. So
13 until the Chairman does, yes, ask a question.

14 MS. TRISTANI: On some details about the
15 bill, if you could give us a few more details about
16 the Senate version, which now is the House version,
17 about this bill, it would be helpful.

18 MS. HOLY-MAARBJERG: Just go ahead, ask
19 whatever question. What specifics would you like?

20 MS. TRISTANI: Well, you said
21 broadcasters can terminate early if they want.
22 Whatever detail you can give.

1 MS. HOLY-MAARBJERG: Again, the rules
2 under the third periodic review that were established
3 by the Media Bureau two years ago, I believe, allow -
4 - had a process to allow for broadcasters to
5 terminate early. Generally, these fall into two
6 categories, my understanding. If the broadcaster is
7 operating, going to be operating, the same channel
8 post-transition that it's now operating pre-
9 transition, there shouldn't be any interference issue
10 and they can go ahead and notify the Commission to
11 terminate early and do viewer notifications, and
12 that's the process for those stations.

13 In the other context, if a station is
14 moving channels or has other modifications to their
15 post-transition facilities, they would have to get
16 permission from the Commission to terminate early.
17 So an interference analysis would have to be done in
18 order to allow that.

19 Again, it's not the question -- the
20 question isn't that they can't terminate their
21 analog. They can terminate the analog. The question
22 is whether or not they can turn on their new digital.

1 So that was one of the issues that the bill
2 addresses.

3 There's other provisions in the bill with
4 regards to the converter box program and Tony
5 probably could talk more about those specifically.
6 There's language in there to allow for re-issuance of
7 one coupon per household if the couple expired before
8 it was redeemed, at the request of the -- at the
9 request of the household to NTIA. There's other
10 language in there with regards to extension of the
11 converter box coupon program in light of the
12 extension of the delay bill.

13 The main issue that isn't in the bill,
14 that is on a separate track, is the economic stimulus
15 package, where there is money in there for additional
16 coupons and part of that money is designated to be
17 spent on consumer outreach and call centers. At this
18 point the language doesn't specifically give money to
19 the FCC. All the money -- the report language coming
20 out of the Senate Appropriations Committee provides
21 NTIA with the authority to distribute the funds, I
22 think it was \$90 million in that report language, to

1 distribute the funds to outside groups, including the
2 FCC, for specific outreach purposes and call center
3 purposes.

4 The track of that bill is a separate
5 track, obviously. They have -- the Senate has yet to
6 pass it. The House has passed a different version
7 and they'll have to go to conference. So it's my
8 understanding that the report language with regards
9 to the \$650 million for the coupon program may be
10 revised as the process goes forward.

11 CHAIRPERSON BERLYN: Can I possibly
12 suggest that -- I know a number of us probably have
13 copies of this bill. Perhaps we can get a copy of
14 the bill before the day is out, so that everybody
15 could take a copy with them. It's only --

16 MS. HOLY-MAARBJERG: Four pages. How
17 many copies do you need?

18 CHAIRPERSON BERLYN: How many people?
19 Should we suggest 25 or 30? 30. If we could get 30
20 copies, that would be great.

21 MS. HOLY-MAARBJERG: Sure.

22 CHAIRPERSON BERLYN: Thank you.

1 MS. HOLY-MAARBJERG: Anything else?

2 CHAIRPERSON BERLYN: I think that's it.

3 Thank you so much. We really appreciate it, Lauri.

4 Is Tony still with us? Did we lose tony?

5 MR. MARSHALL: He stepped out.

6 CHAIRPERSON BERLYN: He stepped out.

7 MR. MARSHALL: I guess we might as well

8 get Tony back. The Chairman must be tied up.

9 Commissioner Adelstein is here, but we were going to

10 hold for the Chairman, or get Tony back.

11 We got Tony back. Sorry, Tony. The

12 Chairman still has not arrived, so we'll start with

13 some Q and A.

14 That was actually helpful to hear because

15 Lauri mentioned the 650 that's in the stimulus bill

16 and the fact that some of that money goes -- she

17 mentioned that \$90 million of it goes for outreach,

18 which actually could give money to organizations, but

19 also to the FCC.

20 MR. WILHELM: Correct, correct. That's

21 on the Senate side. Again, we'll see how these

22 things come together, but on the Senate side they

1 have \$650 million for the coupon program. Obviously,
2 most of that would need to go to get new coupons out
3 the door. \$90 million of that would potentially go
4 for consumer education. There's a focus in the
5 Senate version on grants to community organizations,
6 like similar to the LCCI and NAAAA type grants, and
7 then obviously potentially funds going to the FCC,
8 and there will certainly be a need to, with the
9 delay, to have the call centers expanded. So that's
10 a natural place to look in terms of some of those
11 funds potentially going for that purpose.

12 Lauri is correct, there was a provision -
13 - the Senate last night voted on the Waxman House
14 bill, which said consumers could, if their coupons
15 had expired, ask for one coupon. I can't remember if
16 it's one coupon for every one that was expired or one
17 per household.

18 MS. HOLY-MAARBJERG: One per household.

19 MR. WILHELM: One per household, okay,
20 which is an opportunity for consumers to come back in
21 and be made whole in terms of that process.

22 Also, first class mail is a provision.

1 Rather than sending these out standard class mail,
2 they would be sent out first class mail. That would
3 only kick in again if the stimulus were passed and we
4 got the additional resources to do that. So just to
5 clarify, we are continuing to send these out, with
6 the exception of Hawaii, standard class mail.

7 CHAIRPERSON BERLYN: Can I ask a question
8 about that? What happens if this extension passes
9 and there is no more money?

10 MR. WILHELM: Very problematic. We have
11 a situation where -- we have a document on our web
12 site where we basically are telling consumers,
13 obviously if the coupon program is no longer an
14 option, consumers still have options. They're just
15 not potentially as attractive, given the folks who
16 are left to serve have issues with being able to
17 afford this transition. But those options would be
18 to get your hands on a converter box, getting a new
19 digital television, or subscribing to a pay service.
20 Those are the three options consumers have.

21 Consumers can purchase a converter box
22 with or without a coupon, as we all know. I think

1 there's a sense from some that you have to have a
2 coupon to purchase a converter box. That's not the
3 case. So a consumer would need to weigh his or her
4 situation, to say if the coupon program is no longer
5 in play what's the most -- what's the best option for
6 my household.

7 Any three of those may be an attractive
8 option. We really can't suggest --

9 CHAIRPERSON BERLYN: Can I ask a question
10 about the timing of dollars. If the delay bill
11 passes next week and the stimulus bill passes in the
12 Senate and then they have to conference, work out the
13 differences in those two stimulus packages, how long
14 will it take to get more money in the program and
15 what happens? Will you be able to still maintain a
16 waiting list for coupons, and what should all of us
17 who are messaging to consumers do? Should we
18 actually push consumers to make requests for coupons
19 to make sure that consumers get that benefit because
20 we know money will eventual be coming back in the
21 program? How long a delay will there be before you
22 can start shipping coupons out?

1 MR. WILHELM: As of yesterday, we had
2 requests for 51 million coupons. Currently with our
3 contractor IBM we have a commitment to create a
4 waiting list up to 56.5 million coupons. So that
5 basically gives us 5.5 million more coupons, if you
6 will, that could be placed on that waiting list,
7 which you divide by roughly one and a half to get
8 households. Each household requests about one and a
9 half coupons. So at our current rate, that's
10 probably about another -- I guess it's hard to say
11 whether demand's going to go up, down, stay about the
12 same.

13 We're averaging about 1.5 million coupons
14 requested per week. So we're talking about another
15 month or so, give or take, in terms of maintaining
16 that waiting list. Then we're in constant
17 negotiations, obviously, with IBM. This delay would
18 take us beyond the period of performance with our
19 contractor, so we get into issues that are not
20 trivial just from a contracting perspective. This
21 gets a little tricky.

22 But our goal is to obviously have no

1 delay or disruption in the program. So our primary
2 thrust is to make sure we keep that waiting list
3 going and consumers aren't told they can't play any
4 more and then later on we'd have to re-start the
5 program. That's the least desirable of any of the
6 options. So our goal is to maintain that waiting
7 list.

8 We're looking for Presidents Day to have
9 those funds available through the stimulus. We are
10 working with IBM to get those coupons out as quickly
11 as possible. Right now our contract is two to three
12 business weeks to process and then to mail out. It
13 would be first class mail if the stimulus goes
14 through in the current iteration. So we're talking
15 about roughly two to three, four weeks where a
16 consumer actually gets their coupon, although it does
17 give us some flexibility in terms of how to mail them
18 out. First class is probably the most practical
19 option and that would be a several week process for
20 them to get those coupons.

21 Yes, sir?

22 MR. McELDOWNNEY: I have two questions.

1 One is have you done any studies to indicate what
2 portion of the expired coupons are the result of the
3 converter boxes not being available? Then two, do
4 you feel that there are enough low-cost converter
5 boxes currently available in retail outlets to meet
6 this increased demand?

7 MR. WILHELM: On the first question, we
8 did have an issue with spot shortages because of
9 inventory over the summer, which was corrected. Just
10 based on the call center issues that are coming in
11 from consumers, we have not heard most vis a vis lack
12 of availability of boxes. So I would say -- we have
13 not done a study on this, but my guess is that that's
14 not one of the major reasons why these coupons are
15 expiring.

16 Availability is a relative term. We've
17 been telling -- we've been giving folks a list of
18 eight retail locations that are nearby, plus you have
19 the online and phone options. So boxes are always
20 available. It's just a question of if they've gone
21 into a Walmart where they always shop and are they
22 basically saying those boxes aren't available, I'm

1 out of luck, or are consumers thinking about, well,
2 maybe those boxes are available at the Radio Shack
3 down the street or maybe I should call a toll-free
4 number and order.

5 So we've been trying to get that message
6 out to consumers. It may not be a natural sort of
7 thing, behavior, in terms of consumers thinking about
8 all the different options that are out there.

9 So we're going to continue to push that
10 message because, as to your second question, there is
11 a potential of a mismatch moving forward between
12 supply and demand in this program. I'd probably
13 defer to anyone here from CEA or the retailers or
14 manufacturers on that front. But with a program
15 that's now going through June, there are potential
16 issues with inventory that have been raised in that
17 match between the availability of boxes and the
18 potential demand from consumers, which continues to
19 be an unknown in terms of the demand that would occur
20 between now and say the end of June in this program.

21 But I think retailers or manufacturers
22 were gearing up for February, so that was the period

1 of time in which they were going to have a lot of
2 boxes, and then after that it would be a real
3 tapering off in this program. So really it requires
4 a serious readjustment. So I'd have to defer to
5 retailers on that front.

6 Is anyone here from CEA?

7 MR. HEDLUND: Jamie Hedlund with CEA. As
8 you suggested, the retailers and manufacturers did
9 plan on a February 17 transition. If there is in
10 fact a delay until June, it's hard to say what impact
11 that's going to have on consumer demand. There is a
12 tremendous inventory that retailers are currently
13 carrying, equivalent to about half the total amount
14 of boxes that have been sold to date. It's going to
15 take some time for retailers to work through that
16 inventory, and if and when they do then they'll order
17 again.

18 Our estimates are that from the placement
19 of additional orders or the initial placement of
20 additional orders by retailers, it's going to take 20
21 weeks or longer before new boxes arrive. But it's --
22 with the delay, it does have an unknown impact on

1 what demand is going to be between now and through
2 June 12th.

3 MR. WILHELM: So to your initial
4 question, Debby, in terms of what should you be doing
5 in terms of the outreach, I think that number one --
6 there's the Chairman -- given the goal is to have
7 continuity of program, I would say we still would
8 want people to get on the waiting list, but we'd hope
9 to liquidate that as quickly as possible.

10 Number two, we'd want to be telling
11 consumers in the same communications that they need
12 to check around for these converter boxes. Don't
13 waste gas and drive to a Walmart. Call ahead and
14 make sure they have availability. If not, they need
15 to call other nearby retailers, which they have on
16 the list that we send them, or use the phone or
17 online options.

18 So both of those messages are critical.

19 CHAIRPERSON BERLYN: Excellent. Thank
20 you, Tony.

21 Will anyone else have any questions for
22 Tony? Do you want him to wait?

1 (A show of hands.)

2 CHAIRPERSON BERLYN: Okay. Tony, would
3 you mind just staying around?

4 MR. WILHELM: Absolutely.

5 CHAIRPERSON BERLYN: While we wait for
6 the Chairman. Thank you.

7 It is now my great pleasure to introduce
8 Chairman Copps. That has such a nice ring to it. We
9 are so pleased that we're here for our first meeting
10 of our new Consumer Advisory Committee and our new
11 Chairman Copps. And I'm so thrilled that you have
12 taken the time out of your schedule today to come and
13 address us today. It's very important, for us to be
14 talking about the DTV transition, and we've been
15 hearing from Tony and he has told us about the coupon
16 program, and we've heard a little bit about what's
17 going on in Congress.

18 We're going to talk at lunchtime a little
19 bit more about what advice we have for moving forward
20 with the DTV transition and what we all need to do.

21 So we're very much looking forward to
22 your remarks today. So thank you so much for joining

1 us.

2 REMARKS OF HON. MICHAEL J. COPPS, ACTING CHAIRMAN,
3 FEDERAL COMMUNICATIONS COMMISSION

4 CHAIRMAN COPPS: Great. Thank you very
5 much for having me down and welcome all. I
6 appreciate it. I would have been here sooner and I
7 wanted to be prompt, but I was working along on this
8 for the last couple hours and I thought I was working
9 in a Word document and I was working somewhere else
10 and it didn't save it. So I had to start all over
11 again.

12 I see a lot of old friends around the
13 table. It's always a pleasure for me to come down
14 and talk with this group that devotes so much time
15 and so much energy and so much talent to improving
16 the lot of consumers and improving the lot of all of
17 our citizens. I'm happy to be here in my role as
18 Acting Chairman so I can tell you that for so long as
19 I have anything to say about it the input and the
20 recommendations of our advisory committees are going
21 to get the kind of attention and serious
22 consideration that they deserve.

1 You folks work long and hard in trying to
2 help us, and I'm sure that sometimes you have
3 wondered whether anyone was really listening. But I
4 want to assure you that we are listening now. It's
5 time to change. It's time for the CAC and for all of
6 the advisory committees of the FCC to be restored to
7 their position as valued and independent counsel on
8 important communications policy issues that we face.

9 We have such a diverse group with us
10 today and I'm pleased to welcome tribal and local
11 government organizations and consumer groups and
12 industry. In particular, I'm pleased to have with us
13 today representatives from LCCR and NAAAA, two
14 organizations that have played and will continue to
15 play prominent roles in providing community-based DTV
16 outreach and assistance to consumers across the
17 country. Your efforts are much appreciated and in
18 the coming weeks will be even more vital.

19 I'm happy to see our FCC team here. I
20 hope you know Mike Chessin, who's our Acting Chief of
21 Staff, and we have the added benefit of having the
22 talents of Gary Epstein, who I know many people in

1 this room recognize -- he's over there -- who's doing
2 yeoman work on helping us get this effort
3 coordinated, too.

4 I have spoken to this group many times.
5 I have never sugar-coated any of the concerns that I
6 feel. The next week -- the next weeks are going to
7 be extremely difficult, as difficult as any that this
8 Commission or as difficult as millions of consumers
9 have ever faced. That's because we never really dug
10 deep enough to understand all of the consequences
11 that would attend the DTV transition, not just the
12 intended good results, but all the unintended
13 consequences, the ones that usually cause the big
14 problems.

15 It's because we didn't have a well
16 thought out and coordinated and coherent plan to ease
17 the transition, a plan to combine the resources we
18 needed to avoid disruption. I've been pushing for a
19 long time for this kind of coordinated public sector-
20 private sector partnership wherein we leverage off of
21 the resources of one another to get a job done that
22 no one sector can do alone.

1 It's also because we didn't have a sense
2 of real and sufficient urgency until it was too late.

3 I know that many of you around this table
4 shared these concerns. You knew that a patchwork of
5 disjointed efforts was not going to get the job done.
6 You knew that increasing general awareness wasn't
7 enough and that we needed to focus on the more
8 difficult challenges of educating consumers about how
9 the transition affects them personally and what they
10 needed to do to prepare.

11 Unfortunately, things don't look any
12 better now that I've had a chance to look under the
13 hood since becoming Acting Chairman. If anything,
14 they look worse. At this point we will not have, we
15 cannot have, a seamless DTV transition. There is no
16 way to do in 26 days what we should have been laser-
17 focused on for 26 months. The time is lost and it's
18 lost at cost, and we cannot make it up. We need to
19 realize this.

20 There's going to be consumer disruption
21 down the road we're on. We need to plan for it. We
22 need to do whatever we can to minimize it, and this

1 has been the focus of my one week and one day running
2 this place.

3 I wish we had more time and additional
4 resources to prepare, and maybe we will get them yet.

5 But right now we've got a February 17th date and we
6 need to deploy the resources to deal with that. All
7 I can promise is that we will do everything we can in
8 the next 18 days to make things work at least a
9 little better for consumers and then to deploy what
10 resources are left to clean up after whatever
11 dislocation occurs.

12 Here are a few of the things we are
13 doing. First, we are coordinating much more closely
14 with within the FCC, with NTIA and other entities,
15 with the diverse levels of governments, and with the
16 private sector. Our teams are more tightly organized
17 and interwoven. We're coordinating nonstop and
18 acting with truly admirable dedication and really a
19 high sense of urgency.

20 Second, we've stepped up our efforts to
21 maximize the number of consumers nationwide who will
22 have access to an analog station. That program will

1 help consumers who aren't ready on the transition
2 date to understand what happened and how they can go
3 about restoring service.

4 Third, we are developing a plan to
5 improve consumer outreach, coordinating and focusing
6 our field operations, web site and outreach grants on
7 the how-to information that will help consumers
8 prepare for February 17th. I want to thank my friend
9 Commissioner Adelstein, who is here, and his staff
10 for the special efforts that they are making in this
11 regard.

12 Fourth, we've also focused on more
13 tangible consumer support, expanding our capacity to
14 handle consumer questions and identifying potential
15 sources of in-home assistance to those who need it.
16 That of course includes vulnerable populations like
17 seniors, folks with disabilities, and folks for whom
18 English is not their primary language.

19 Fifth, we're spending a lot of time
20 coordinating the multiple private and public sector
21 call centers that are in development into a more
22 unified system. We're trying to give consumers one

1 number to call for assistance from the combined
2 resources of the cable and broadcast and satellite
3 industries, as well as NTIA and FCC. In the absence
4 of so many of the things that should have been done,
5 call centers really become the consumer's lifeline.
6 They are just tremendously important getting us
7 through this transition.

8 Here I want to thank Commissioner
9 McDowell and his team for the help, the special help
10 they are giving this effort.

11 Sixth, we have been proactively examining
12 broadcast coverage issues to try to determine which
13 consumers are most at risk of losing reception
14 because of the transition. Let's make sure we all
15 understand this. Some consumers, through no fault of
16 their own, are going to lose one or more channels as
17 a result of the transition. They may pick up other
18 channels that they previously couldn't receive or the
19 current ones may come back as stations deploy
20 distributed transmission systems or make some other
21 arrangements. But on February 18th some homes will
22 not pick up all the stations they are receiving now,

1 and it won't be just because they haven't got their
2 box hooked up right or the right antenna.

3 All the how-to advice in the world will
4 not help the consumer if the signal doesn't reach
5 them. We have a deep and serious obligation to get
6 this out proactively so that consumers know what's
7 happening and understand what options may be
8 available to them. That we did not understand this
9 better long ago through better analysis and through
10 tests and through trial runs is to me nothing short
11 of mind-boggling.

12 We can't expect people to prepare for
13 what's coming unless we tell them what's coming.
14 Trying to mobilize this kind of nationwide messaging
15 in the 26 days remaining requires everyone working
16 together to develop and produce and disseminate it.
17 We're working hard on this, but at this late date
18 we're going to need a lot of help at the community
19 level. I guess it was Tip O'Neil who said all
20 politics is local, and in many respects this DTV
21 transition is now preeminently local. So we need
22 help from folks like you, businesses, consumer

1 groups, service organizations of every stripe,
2 governments at all level, churches, and what an
3 important role churches can play both in getting the
4 word out -- no pun on "Word" -- and getting
5 assistance out to vulnerable populations.

6 One last thing. This committee has
7 repeatedly recommended that the FCC convene a
8 technical working group to address transition closed
9 captioning and video description issues. I believe
10 this is again on your agenda today. I have long
11 supported that proposal, but did not have the ability
12 to act. Now I do, so I am instructing Commission
13 staff to convene the technical working group as soon
14 as possible.

15 The FCC needs to take a leadership role
16 in addressing these problems. I don't believe we can
17 finish this important effort before the transition
18 date. Had we acted when you first made the
19 recommendation, we maybe we could have. But this
20 isn't the time to cast stones back over our shoulder.
21 It's time to look forward and commit ourselves to
22 working together, government, industry, and

1 consumers, to resolving these problems.

2 You know, at the end of the day, at the
3 end of the DTV transition, good things do await us:
4 better TV, more free, over the air broadcasting, more
5 channels, which if we have the good sense to utilize
6 them thusly can replenish some of the localism and
7 diversity that we have lost over the last couple of
8 decades, more spectrum for public safety, so that we
9 can hopefully build that nationwide interoperable
10 public safety network to help first providers help us
11 when disasters, natural or manmade, strike again;
12 more spectrum for wireless, more spectrum for
13 broadband so we can take our rightful place at the
14 head of the list of nations in getting this
15 opportunity in creating and getting technology out to
16 all of our citizens.

17 These are the reasons we started down the
18 digital road in the first place. Our shortfalls
19 were: one, so grievously underestimating the effort
20 it would take to make the switchover smoothly; and
21 two, failing to build the kind of truly coordinated
22 and synergistic private-public sector partnership

1 that would have allowed us to combine our resources
2 and deploy them toward a consumer-friendly outcome.

3 Many people have worked very, very hard
4 on this transition: industries, broadcasters, non-
5 broadcasters too, local, state, and federal
6 government workers, community, religious, civil
7 rights, and many other organizations, our own FCC
8 team. They didn't fail us. We failed them in not
9 mobilizing the kind of effort wherein they could all
10 work together in a truly organized and directed
11 fashion to make for a better and less disruptive
12 transition.

13 But I want to thank them all for the hard
14 work they have already done and for the work that
15 they're going to be called on to do in the next 18
16 days and then in the very important weeks after that.

17 In closing, I would like to thank the
18 members of this outstanding committee for your great
19 efforts to help everyone understand long ago the
20 extent of the problems that we were going to
21 encounter here and for your recommendations, concrete
22 recommendations to do something about them. Now we

1 need you, we need this committee, more than ever,
2 first, to meet this clear and present challenge that
3 we face; and then once we get this behind us and
4 moving forward to make sure that every citizen in
5 this great land can partake fully of the wonderful
6 opportunities that 21st century communications are
7 creating.

8 So thank you for signing up to help us.
9 Each of you has busy lives. I know that and you come
10 here at great sacrifice to help us better understand
11 and serve the needs of consumers. I truly appreciate
12 that. I hope you know I'm going to be doing
13 everything I can here at the Commission to make your
14 assistance, your work and your contributions really
15 count in helping the lot of consumers and citizens
16 all.

17 So with that, I'll hush up for a while
18 and I'd like to hear any recommendations and
19 suggestions that you might have, entertain questions.
20 If I can't answer them, some of our folks here will.
21 With that, I'll just open the floor.

22 CHAIRPERSON BERLYN: Thank you very much,

1 Chairman.

2 I know Karen has a question. I saw
3 Brandon also has a question. For those of you who
4 are new around the table, we like to raise our cards.
5 I'll start with Brandon because I did see his hand go
6 up first, and his card. Thank you.

7 MR. STEPHENS: Chairman Copps, first of
8 all, I appreciate your time in coming down to talk
9 with us, as always. In the past you have spent time
10 with us and I appreciate that.

11 The question I have is, coming from the
12 rural areas of western North Carolina and also most
13 of Indian country, coming up to this meeting I made a
14 couple of calls, one to several tribes around the
15 country and then also in the region to some of the
16 television stations, to what's happening, from WSB in
17 Atlanta to WATU in eastern Tennessee, WRAL in Raleigh
18 and WOLS in Ashville.

19 Several of them are ready to go with
20 their transition. As a matter of fact, most of them
21 are ready to go on the 17th. As a matter of fact,
22 they're predicating a lot of their work on switching

1 over. So that the way to them seems to, from what I
2 gather from them, we're heading down the path. All
3 the work is coming down.

4 But the problem that we have, I learned
5 in some of the rural areas that in the major cities
6 one broadcast center serves a city around the town
7 and most of them don't rely on translators, but in
8 western North Carolina and some of the rural Indian
9 communities we watch television off of translators.
10 The television stations are mostly focusing on, what
11 they're reporting back to me, is they are focusing on
12 -- for instance, WOLS now broadcasts on Channel 13.
13 They're only worried about that main signal. But in
14 my community we watch it off Channel, a translator.
15 On out in the western part of the state they watch it
16 on Channel 8. In the northwestern part of area --
17 you get the picture.

18 They're not focusing on all these
19 translators. So we're going dark regardless of
20 whether we have boxes or not, and they don't have any
21 plans to convert those signals.

22 But in rural areas, like what we have,

1 the only way -- if you don't get an over-the-air
2 broadcast, you're only going to be getting ABC, CBS,
3 NBC, PBS. It's not like the myriad of channels you
4 get in other metropolitan areas where you have the
5 other networks.

6 So my big question here is what can be
7 done to bring that out, because -- I got the
8 converter box coupon for my parents and set them up,
9 but there's no signal coming in. It doesn't matter.
10 These are primary broadcast stations and some of
11 them, we're going to be in the dark.

12 CHAIRMAN COPPS: At this late date, I
13 don't know what to emphasize other than really
14 tremendously stepped up consumer education. It's
15 just not right if people -- we expect people to jump
16 through all these hoops and go out and buy boxes and
17 antennas and everything else, and then there's no
18 signal to draw in. It's just tantamount to
19 dereliction in my mind.

20 So assuming that there's not going to be
21 a lot of fixes for this and work on those
22 translators, assuming that things like distributed

1 transmission systems, which we sat on for three years
2 around here before finally getting the darn thing out
3 the door in November, with like four months for
4 everybody to go out in a bad economy and invest money
5 to get all those new systems up -- not going to
6 happen.

7 So I think of course encourage people to
8 make whatever corrections are possible to make
9 between now and February 18th. If we have the luxury
10 of a little more time, maybe in some of these places
11 at least we can make progress. But there is that
12 obligation right now to make sure that consumers
13 understand.

14 That's not good news. I mean, it's kind
15 of hard to ask to ask broadcasters to go out and tell
16 people they're not going to receive your station any
17 more. But it's really essential. I mean, you talk
18 about public interest. If you can't tell the public
19 what's going to happen with their signal, then you're
20 not serving the public interest. So we've got to
21 find a way to do that.

22 I don't know if there's any technical

1 answers that Rick or Gary or somebody might want to
2 add to what I've said.

3 MR. CHESSEN: The translator issue is --

4 CHAIRPERSON BERLYN: Microphone, please.

5 MR. CHESSEN: I'm just trying to
6 understand the translator issue. The translator is
7 not required, of course, to go digital on February
8 17th. So either they could take the digital signal
9 if they still can receive it and just have that
10 digital to analog converter box there that could then
11 continue to send out the analog signal -- is that all
12 they need, is the digital converter? Or is the
13 signal not reaching the translator any more?

14 MR. STEPHENS: The difference here is
15 that living in -- most of the people here live in
16 flat terrain. We do not. And also, looking at the
17 urban areas, whether they're dealing with mountains
18 like we are or city buildings, that sort of thing.
19 We're not getting a signal and that's why the
20 translators are set up.

21 MR. CHESSEN: Right.

22 MR. STEPHENS: What our television

1 stations tell me is they're not -- they're not
2 expecting to cover the same area that they are with
3 their analog signal. So really, once the transition
4 hits, if they don't work on the translators we see
5 them no more if it's just over the air.

6 CHAIRPERSON BERLYN: Can I interrupt for
7 a moment? We have Julius Knapp coming from the OET
8 and maybe we can save our tech questions for him,
9 because we'll have a little more time to talk.

10 MR. STEPHENS: I think the issue has been
11 --

12 CHAIRPERSON BERLYN: But it is a very
13 good point, an important consumer point for consumers
14 to be aware of. So I appreciate it.

15 MR. STEPHENS: I just have one other
16 quick comment on then I'll hush. I want to say that
17 we did receive some information from Shana Bearhand
18 and from Consumer Affairs that helped us quite a bit.
19 We're getting information out to our communities on
20 the reservation. We've done a pretty good job of
21 getting information to our elderly, our people who
22 still have over-the-air broadcasts.

1 Also, my other concern too, because I
2 chair it and I can't let this slide by without a
3 chance to talk to the Chairman, is that we do have to
4 -- once this clears, once the transition gets rolling
5 down the path, in rural areas, in tribal areas, we
6 still have to focus on the employment of broadband
7 and fiber optics to our areas. We can't let that go
8 by.

9 As a matter of fact, in my home area, not
10 necessarily on the reservation, but we are deploying
11 fiber optics, and now actually the words of, well, do
12 I get dish, direct, cable television, well, "IP-TV"
13 is beginning to come into our homes, too. So we need
14 to work on that. We've had a recommendation for
15 universal service funds, but two things: appreciate
16 the help from Consumer Affairs; and also, while I'm
17 driving back home, we need broadband in rural areas.

18 CHAIRMAN COPPS: Well, that's kind of
19 what I was talking about at the end of my remarks:
20 once we get beyond this transition, to get our sights
21 on getting the wonders of telecommunications out to
22 all of our people. I've been talking about this for

1 years, especially in the context of rural America and
2 Indian country, the inner cities. This is not just
3 feel-good social policy. It's competitive, hard-
4 headed, economic, commercial, necessary on many
5 fronts if this country is going to be competitive,
6 and we can't compete unless all of the people have
7 access to those kinds of tools.

8 I am hopeful now, with a new crowd here
9 in town, that we will put a lot of effort into
10 developing a coordinated strategy for broadband and
11 bring the various people in this government with each
12 a little finger in this pie together, just like we
13 should have done with digital TV, get everybody with
14 a piece of the action around the table.

15 You know, there's not unlimited money to
16 solve a problem like this. Hopefully we will get
17 some help out of the stimulus package, but it's
18 really going to come down to public-private
19 partnering and again leveraging off the resources of
20 one another and using whatever mix of credits or tax
21 incentives to reform the universal service system or
22 whatever.

1 This dialogue is beginning, I think,
2 right now or it should begin right now because we're
3 late to the game and we're still way behind.

4 CHAIRPERSON BERLYN: Thank you.

5 Karen.

6 MS. PELTZ STRAUSS: Good morning,
7 Chairman Copps. I've waited so long to say that.

8 CHAIRMAN COPPS: Don't get too used to
9 it.

10 MS. PELTZ STRAUSS: I'm just going to
11 keep saying it for as long as I can.

12 My comments are short. I just want to
13 thank you. We know how long we've waited. It is
14 just a breath of fresh air to have you come here and
15 say the things that you do and to express a
16 commitment and to be able to work with Rick and Gary
17 and Scott and others on your staff. It's just really
18 extraordinary and we're just so looking forward to
19 it. We're already in the planning stages or making
20 suggestions on what the technical group should look
21 like.

22 CHAIRMAN COPPS: Good.

1 MS. PELTZ STRAUSS: In a few weeks
2 consumers will be able to file complaints directly
3 with the FCC for captioning issues, which was not
4 previously possible, thanks to CGB. One of the good
5 things to come out of the prior administration was a
6 revision to these complaint rules and we're hoping
7 that the Commission not only works on developing
8 solutions, but also steps up enforcement where there
9 are violations of existing rules that already require
10 digital captioning.

11 Equally important will be the
12 Commission's work on ensuring the pass-through of
13 video description. Even though it isn't required, it
14 is something that is available by certain stations.
15 We're hoping that in the future it will be required,
16 but that's something else we're looking to the
17 Commission for.

18 CHAIRMAN COPPS: Thank you. You're very
19 kind and generous in your remarks. I think we will
20 have a Commission that's a little bit more aggressive
21 in some of these things, or action-oriented, and the
22 kind of interchange that we've had over the years

1 already with you personally and a lot of people at
2 this table needs to be extended now, because when you
3 go into some of these uncharted paths you need to
4 understand that you're not only trying to accomplish
5 good intended consequences, but you want to be sure
6 you understand what the unintended ones are. So this
7 kind of interchange, that's why the advisory
8 committee system is so integral to the operations of
9 the Commission.

10 CHAIRPERSON BERLYN: We have several
11 cards still up. If you could -- I don't know how
12 much time you have, but if you could please make your
13 questions very quick questions, rather than long
14 remarks, I would appreciate it.

15 I have Harry and then I have Ken, and
16 then I have two cards over in the corner. And
17 Charles, you have your card up as well. So, Harry.

18 MR. ROESCH: Thank you for your remarks
19 this morning, Commissioner Copps. Great to hear that
20 you're really going to get on the issue of closed
21 captioning. As an adult that's losing hearing,
22 that's not necessarily correctable with hearing

1 devices, closed captioning is a great benefit for me.

2 I totally back up Brendon's comments here
3 about the responders that are essential in Appalachia
4 to receive signals. The maps that were just put out
5 by the FCC recently showing the deployment area of
6 both the analog signal and what can be the digital
7 signal in the Appalachian Mountain areas, we know
8 that we're going to lose an awful lot of connectivity
9 on this transition.

10 What can be done on trying to get as much
11 information out as possible? Are the maps that are
12 out right now, is this something that is being
13 promoted very extensively? Is it part of the
14 outreach? Because I think this pictorially puts the
15 issue up there much more directly.

16 CHAIRMAN COPPS: Well, I think so. We
17 try to do that. We've got it up on the web site and
18 all of that. But I think there's a real opportunity
19 here for broadcasters, local entities, to put up to
20 maps and emphasize the coverage of each area. The
21 maps are short of being 100 percent accurate and, you
22 know, I think folks are still working on them to try

1 to pinpoint with a little bit more accuracy what the
2 coverage might be.

3 But to the extent that we can get that
4 word out and to local stations and get numbers at
5 local stations that people can call and find out if
6 they're going to lose service ahead of time, I think
7 that's really essential.

8 CHAIRPERSON BERLYN: Thank you.

9 Let's see. I have Ken and then I have
10 Irene and then Charles, and I think we'll have to cut
11 it at that. I thank you. Ken.

12 MR. McELDOWNNEY: I certainly welcome the
13 fresh breath of air with your serving as Acting
14 Chair. If in fact the stimulus package does go
15 through with additional money for consumer outreach
16 and education, I hope that the FCC staff will meet
17 with either the full CAC or members of the CAC that
18 have been pushing since the early days for sort of a
19 new approach to consumer education and outreach,
20 which we think would be much more effective than
21 certainly some of the things that were done in early
22 DTV transition period.

1 CHAIRMAN COPPS: Thank you. We'll do
2 that.

3 CHAIRPERSON BERLYN: Irene.

4 MS. LEECH: Thank you.

5 CHAIRPERSON BERLYN: For those of you who
6 are new in our system here, keep your hand up until
7 you hear that the mike is on.

8 MS. LEECH: Is the mike on? Thank you.

9 This is my first meeting and one of the
10 things that I learned this morning -- I thought I was
11 paying attention to things -- was that some people
12 are not going to be able to get the signal, though
13 they've got the equipment and so forth. I live in
14 southwest Virginia. I guess I can kind of attest to
15 the fact that the message is not getting out as well
16 as it should, because I thought I was paying
17 attention.

18 But I wanted to ask whether you're aware
19 that there is legislation going to pass through
20 Virginia's legislature right now that will be clear
21 that wireless and landline are equivalent services
22 and will thus make it so that in Virginia the

1 telephone companies will be able to declare that in a
2 competitive situation does exist and not even require
3 that they not be from the same company. So just -- I
4 don't know who needs to know or whatever, but that's
5 something that's just flying in Virginia.

6 CHAIRMAN COPPS: I did not know that and
7 I appreciate your bringing it to our attention.

8 CHAIRPERSON BERLYN: Brenda.

9 MS. PENNINGTON: Yes, good morning.
10 Thank you. I think that we've all been energized by
11 your comments and by your commitment to consumers.
12 With respect to the broadband issue, does the
13 Commission continue to move forward with the proposed
14 lifeline pilot program?

15 CHAIRMAN COPPS: For broadband?

16 MS. PENNINGTON: Yes. I think -- I don't
17 see how we have a broadband strategy unless we find a
18 way to use whatever tools are available to us. Right
19 now we have those kind of programs in place and
20 fitting broadband into them is essential, unless the
21 Congress or the administration in their wisdom come
22 up with a different kind of program to reach out and

1 achieve ubiquitous broadband deployment.

2 MS. PENNINGTON: Thank you.

3 CHAIRPERSON BERLYN: Charles, you will
4 round it out this morning.

5 MR. BENTON: Commissioner Copps, we
6 certainly are thrilled with your being here and your
7 saying what you're saying. I was inspired by reading
8 your speech on Monday to the staff in which you
9 stressed the theme of, among many other wonderful
10 things you said, the theme of openness and
11 transparency.

12 I think my frustration certainly on this
13 body has been that we never could get from the FCC
14 what the plan was, what is the plan for the DTV
15 transition. And when you get \$20 million from
16 Congress, how are you going to spend it? Who's
17 making those decision?

18 Now we've got the stimulus package
19 potentially for supporting further consumer
20 education. Again, how will these decisions be made?
21 I recognize that our advisory group is an advisory
22 group. We do not have decisionmaking authority of

1 any kind. But to get the most out of an advisory
2 group like the CAC, we need to know what the plan is
3 so that we can react, or what the plan might be, what
4 the options are, so that we can be used as a sounding
5 board for brainstorming those options and then give
6 you the best advice that collectively we can bring to
7 bear.

8 So I hope that in the new regime which
9 you are helping in a wonderful way to transition to
10 that these issues of openness and transparency and
11 processes within the FCC will be greatly improved
12 from the standpoint of your advisory group's knowing
13 what the plan is and what the options are before the
14 decisions are made and can give you -- they can
15 really be used as a sounding board for the advice
16 that you need.

17 CHAIRMAN COPPS: Well, that's exactly the
18 approach I would like to see. You shouldn't feel
19 like, the advisory committee shouldn't feel like the
20 Lone Ranger, and people didn't know what the plan was
21 nor how much money was left or how much was spent.

22 Commissioner Adelstein is here. He and

1 I, none of the other Commissioners, knew really
2 exactly where we were. We're still trying to get a
3 handle on exactly where we are resourcewise. The
4 more I learn, the weaker the picture becomes. So
5 resources moving ahead is going to be quite a
6 challenge.

7 But yes, that openness that I talked
8 about within the Commission, among Commissioners,
9 between bureaus and Commissioners, and within
10 offices, certainly that kind of openness and
11 transparency applies to our relationship with the
12 outside world. I've tried to work hard on developing
13 relationships during my almost eight years here with
14 nontraditional stakeholders, to get advice in. But
15 we can't expect them to give us the best advice if
16 they don't have some idea of what the resources are,
17 what the plan is, what the strategy is, what the
18 sense of priority is. And we'll endeavor to supply
19 more of that than we have in the past.

20 I thank you very much. I appreciate it.

21 CHAIRPERSON BERLYN: Thank you very much,
22 Chairman. We appreciate it.

1 (Applause.)

2 CHAIRPERSON BERLYN: Well, Commissioner
3 Adelstein, we appreciate your patience this morning
4 and thank you so much for coming and joining us. We
5 are fortunate this morning to have two-thirds of our
6 leadership from the FCC here this morning. Welcome
7 and thank you.

8 REMARKS OF HON. JONATHAN S. ADELSTEIN,
9 MEMBER, FEDERAL COMMUNICATIONS COMMISSION

10 COMMISSIONER ADELSTEIN: Well, it's nice
11 to be part of the third that's in the majority for a
12 change.

13 CHAIRPERSON BERLYN: That's right.

14 COMMISSIONER ADELSTEIN: And it is a
15 pleasure to hear Commissioner Copps. Every bit as
16 much enthusiasm that you have, I have even more,
17 because I have to work every day here. To see the
18 change happen is profound in more ways than I can
19 say.

20 What he said this morning, I waited
21 because I wanted to hear him first. I think he laid
22 out a very comprehensive vision. I don't want to

1 repeat. I agree with everything he said, which is an
2 unusual thing for me to say about a Chairman. Not
3 only do I agree with it, but I enthusiastically
4 support it, and I'm overwhelmed with a sense of
5 relief that we finally have somebody in charge who
6 understands the magnitude of the issue before us and
7 has the skills to deal with them and who is doing
8 everything he can in very difficult circumstances to
9 make sure that we tackle it.

10 I think so many things he said that I
11 agree with. I'm not going to repeat them all. But
12 obviously we take your work very seriously. You
13 know, we've been down here repeatedly. A lot of you
14 gave us recommendations on the DTV transition.
15 Again, now they're being implemented. If we had
16 listened to you earlier, if we had done what you
17 asked us to do, if we had worked with you, we
18 wouldn't be where we are today. We'd be a lot
19 further along.

20 I know, Charles, you had a lot to do with
21 this, and your chairmanship on this has been
22 wonderful. We really need now to take your work and

1 put it into practice immediately. You asked why
2 don't we ever see the plan, why don't we get more
3 information? Well, because there was no plan. I
4 think you saw the plan, which is a complete lack of
5 it, and now we're seeing the results of a lack of
6 strategic planning. We are sitting here with an
7 extremely short amount of time and an enormous amount
8 to do, an impossible task to do right, as
9 Commissioner Copps said, not because we don't have
10 the abilities or skills or commitment, but because
11 physically to do what needs to be done in the short
12 period of time that we have remaining is a very steep
13 climb indeed. This needed to be done far earlier.

14 Commissioner Copps -- Chairman Copps, as
15 he mentioned, indicated that I'm going to be focusing
16 some on the outreach and I wanted to talk to all of
17 you about that briefly and to focus on that, since he
18 laid out the broader issues. That is something that
19 can't be done overnight. What we need is a field
20 operation nationwide that looks something like a
21 campaign operation and we can't do that with the few
22 days left.

1 As was clear from the legislative
2 briefing, there are going to be a lot of stations
3 that are transitioning on February 17th. So a lot of
4 places in the country are going and we have to plan
5 as if that's happening on February 17th. I've been
6 to states, I've been to places in West Virginia, I've
7 been to Nevada, other places, they're planning on
8 going if they can, and I understand why they want to
9 do that. We need to be able to support them in the
10 short period that we have to be able to respond.

11 On closed captioning, I just wanted to
12 add that, finally, we've been talking about this for
13 so long and here the Chairman immediately upon his
14 ascension is doing exactly the right thing on that
15 front, and I'll do whatever I can to help him in that
16 regard as well.

17 Just real quickly because I know you're
18 behind schedule and I want to try to get you back on.
19 I want to give you some of the key principles we're
20 thinking about in terms of our outreach approach and
21 get any feedback that you have before we move on. We
22 want to provide effective assistance to consumers

1 through the digital transition and for a reasonable
2 period post-transition as well. We want to
3 fundamentally disseminate accurate and timely
4 information and ensure that those in need of
5 information support beyond the services of the
6 integrated call centers are integrated to local
7 sources of assistance. Thus what we need is those
8 boots on the ground we talk about, so when the call
9 center isn't enough what do we have in place to help
10 people on the ground?

11 We need three things. We need assistance
12 centers in high over-the-air DMA states. We need 800
13 assistance where we need it and we need post-
14 transition assistance for after the transition,
15 because certainly there's going to be two
16 transitions. There's going to be one on February
17 17th and we need to have some operations ready to go
18 in those states that are going to move; and there's
19 the one after June 12th, which appears to be the
20 likely final date.

21 In terms of assistance centers in the
22 high ATA states, I think we need FCC funding to

1 grassroots organizations to manage and work with
2 assistance centers, to address concerns, to provide a
3 full range of services from completing coupon
4 applications, for those who need help in terms of a
5 central information distribution point, to recruiting
6 and training volunteers and scheduling in-home
7 support visits for callers that were turned over by
8 the national call center.

9 So we've got a lot of work to be done to
10 make that happen. The handoff has to happen from the
11 call center to the volunteer. We have to have a real
12 seamless operation. We've been calling for one call
13 center for years. I was at CEA two years ago talking
14 about all these things: the need for call centers,
15 the need for field operations. And here we are 18
16 days out and we don't have it in place. There's been
17 a totally inadequate effort to get this done.

18 In the last minutes of the last
19 chairmanship there was major decisions made that we
20 are either bound by or somewhat bound by that don't
21 fit into any plan, because there was no plan. So we
22 have a cleanup operation that's extraordinary to try

1 to deal with the mess that we were left, and I can't
2 overemphasize what a mess it is. I think Chairman
3 Copps made that fairly clear.

4 In terms of in-home assistance, we need
5 to work with local voluntary organizations, working
6 with FCC-funded or NTIA-funded grassroots
7 organizations. It looks like we do have the
8 resources now to actually help to fund those. I know
9 that a lot of you who are willing to do the help are
10 operating on a shoestring yourselves and people don't
11 have the extra resources to do this. But we're going
12 to hopefully get some federal funds to help finance
13 those who are willing to get out there and help
14 people that need it.

15 We need to have the goal of getting a
16 home visit within 48 hours of request if we can. I
17 think we need to set ambitious goals. People
18 shouldn't be left without urgently needed television
19 service for a long period of time.

20 We're going to work with local and state
21 broadcaster associations, if possible, to provide
22 state-level referral centers with contact information

1 for engineers and others from the local stations that
2 are willing to help out and to help train the people
3 that will do this.

4 And of course, we need to have post-
5 transition assistance, as I mentioned, for at least a
6 few weeks after the transition date, to make sure we
7 continue to clean this up. I anticipate that we're
8 going to have a messy situation from the day after
9 each of the transition dates and they will eventually
10 clean themselves up or clear themselves out. The
11 question is how quickly can we clear out that mess,
12 and those who need help, how quickly can we get it to
13 them, how long of a dislocation and disruption are we
14 going to have?

15 I could say a lot more, but I know you're
16 short on time. I just wanted to tell you this is at
17 least how we're initially envisioning the provision
18 of outreach. I wish we had done it a little bit
19 earlier. I wish we had the planning in place now.
20 But we're going to do the best we can in the short
21 period we have. In order to be able to accomplish
22 this on the ground, we're going to need your help

1 urgently. This is something that -- we're a small
2 agency here. We've got volunteers working in almost
3 every state and people are out on the ground. But
4 it's you that provide the manpower, the intelligence,
5 the ability to reach people, and we're going to need
6 you and we're going to rely on you like you haven't
7 seen in recent years to actually make this transition
8 as smooth as possible under difficult circumstances.

9 So thanks for having me here.

10 CHAIRPERSON BERLYN: Thank you very much,
11 Commissioner.

12 I put my card up really fast. I beat you
13 all. I have a question because my head was spinning
14 when you started to talk about the outreach, because
15 I can just remember sitting in very early discussions
16 about the DTV transition and thinking about this and
17 hearing about what Great Britain was doing and some
18 of their early plans and hearing about how they were
19 going door to door to help older Americans with the
20 transition, going into the home and setting up the
21 boxes, and thinking, why aren't we doing that?

22 It sounds like now the thinking is that's

1 what we've got to do. Responding within 48 hours to
2 go into somebody's home and helping them, I'm
3 thinking, okay, we're talking about doing it; how are
4 we going to do this and how is this all going to
5 work, and who is actually going to be doing this?
6 Where is this all going to happen in this short
7 period of time?

8 COMMISSIONER ADELSTEIN: That's why we
9 need the extension, for one thing. Certainly it's
10 going to be a real pathwork.

11 CHAIRPERSON BERLYN: I think we all agree
12 with that.

13 COMMISSIONER ADELSTEIN: On February
14 18th, for those states go it's going to be an
15 enormous patchwork. Some states will be better off.
16 I went to different places. I was in Puerto Rico
17 with Commissioner Santini and we talked about how
18 we're going to get infrastructure there and to help
19 set up an operation where we have a call center and
20 that would facilitate that kind of an operation.

21 To me, in 19 days it's virtually
22 impossible unless there's been major operations

1 already. There's a few last minute grants that went
2 out in a real patchwork fashion, which we're still
3 trying to understand why the grants went where they
4 did or how they did. Talk about lack of
5 transparency. I don't understand it. I don't think
6 that, looking at them, it's clear. But it's clear
7 that they're not everywhere.

8 We really appreciate those who stepped
9 up, the Leadership Conference on Civil Rights. Those
10 places that are served are going to be better off,
11 but there's a lot of places that are not going to be
12 served by that. Some states aren't going to have
13 that and some states will be able to have better
14 operations.

15 Everywhere that I went, I had to do it
16 seat of the pants, and in every community we went to
17 we tried to establish it, but it varied from
18 community to community what the local government is
19 willing to do, what local organizations were in
20 place. In Hawaii the ham radio operators were ready
21 to go. In other states they weren't as organized or
22 on top of it, but nobody had contacted them because

1 there's no national plan.

2 Now we're going to figure that out. We
3 have a little bit of time to do it with the
4 extension. That's where we need your help. We're
5 kind of building this up from the ground up because,
6 frankly, there was nothing in place except for
7 patchwork efforts.

8 I think broadcasters are very key in all
9 this as well, and the call centers are key to funnel
10 this, it has to be seamlessly, between the call
11 centers and the volunteer operations, so that when
12 the calls come in and they get triaged, when you get
13 to the point of a person who just can't be helped
14 over the phone -- either they have a disability, they
15 might be elderly, they might just be technologically
16 challenged, they can't do it, or they did everything
17 right and they can't figure out where the signal is
18 and for some reason it's not working, and the phone
19 bank doesn't help them -- they have to say if they
20 want help, they have to ask for it: I'm willing to
21 have a volunteer in my home. And we have to have
22 that call center be able to connect with a local

1 operation.

2 The question is how much of it can be
3 funded. You can see how much money we get from the
4 stimulus package, from NTIA, to figure out how to get
5 the funds to those in local communities that are
6 willing to do it. As I say, it will vary from
7 community to community on some basis.

8 As Commissioner -- as Chairman Copps
9 said, it's going to be locally based. It does vary
10 in terms of who's on the ground. Some fire
11 departments just aren't willing to do it; some are.
12 Some cities want the city staff to do it; some don't.
13 Some ham radio operators are ready to go; some
14 aren't.

15 We're going to need to work a lot with
16 you, your community base, to find out what works in
17 different communities. I don't think you're going to
18 be able to find a cookie-cutter nationwide approach
19 that works everywhere, but if there are funds it will
20 help everywhere in dealing with all the different
21 manifestations in the communities.

22 CHAIRPERSON BERLYN: Just one quick

1 question. The FCC will be the coordinating agency in
2 all of this?

3 COMMISSIONER ADELSTEIN: It's not clear.
4 I think it depends to some extent on where the
5 stimulus money goes and differences between the House
6 and the Senate bill. If all the money goes to the
7 NTIA and NTIA then can give out money to the other
8 agencies, which that's the way one of the bills is
9 structured, then to some extent it's NTIA's call to
10 decide how they want to do that.

11 I think it's something that,
12 unfortunately, we're going to start working on what
13 the different options are, starting writing them up
14 here at the FCC over the next week or two, and we're
15 going to have to see how the stimulus package goes.
16 We're going to have to coordinate like we never
17 coordinated before with NTIA daily. The distinction
18 between the two agencies is going to, we hope,
19 evaporate. There's been a lack of communication over
20 recent years that has been extraordinary.

21 Now the coordination is daily and hourly
22 to some extent with our staff. We're going to figure

1 out where it's most effective. The plan is going to
2 be completely agreed upon, I presume, by the NTIA and
3 the FCC, and how exactly it's going to be executed I
4 think has yet to be determined.

5 CHAIRPERSON BERLYN: Thank you.

6 I have Ken and then Marti, Nixy, and then
7 Harry and Brandon, and -- I'm sorry. But I did see
8 Ken before you. I'll readjust. Ken, go ahead.

9 MR. McELDOWNNEY: I am very excited about
10 the potential. I think that one of the things I
11 would really urge you to do, if appropriate I guess,
12 is to try to assume as the stimulus package is passed
13 that as you have some sense of what the FCC's role is
14 going to be, to sort of coin together maybe a small
15 group to brainstorm in terms of what can be done in
16 the next five or six months.

17 I think one of the real issues in the
18 past is, you said, that it was very unclear, not just
19 to us but to you as well, just in terms of what the
20 criteria was for the grants and things like that.
21 While certainly I think the work that's been done
22 with existing grants has been very good, it's not as

1 broad as it needs to be.

2 For example, Consumer Action alone works
3 with some 11,000 community groups around the country,
4 most of which serve recent immigrants, and I think
5 that's a very real area that needs a lot of focus. I
6 think that the only way of really working with those
7 groups is working with the agencies that serve them.

8 My concern is that, even with phone
9 numbers being flashed on the screen and things like
10 that, if in fact the consumer can't read what's on
11 the screen or is really unfamiliar even with making
12 toll-free calls, the calls aren't even going to go to
13 the call center. The only way to do that is to
14 educate the community groups in terms of being able
15 to help their clients, if nothing else, to call the
16 call center.

17 But it's a long-term process and I think
18 it's going to have to be done certainly on a crisis
19 stage right now. I think the sooner that everything
20 gets started the better, because the ramp-up period
21 is going to be considerable.

22 COMMISSIONER ADELSTEIN: We need to work

1 on the training and the dissemination of this
2 information. The outreach is enormous that remains
3 to be done. There's no other aspect of the
4 transition that requires your help more than this.
5 So I think we should get together. I hope you give
6 us some advice today on cogitating on what it is that
7 we need to be doing. I'm happy to talk next week if
8 you want to get a subcommittee together, or anybody
9 that's interested, everybody if you want, we can do
10 it by phone and think about what needs to be done, I
11 think immediately, urgently, to put a plan in place.

12 CHAIRPERSON BERLYN: Thank you, thank
13 you.

14 Karen, real quick.

15 MS. PELTZ STRAUSS: I just couldn't not
16 thank you as well because you've been so incredibly
17 supportive of us. But I think it's very important to
18 publicly say that you have been a friend to the
19 disability community for the longest time and we just
20 really appreciate everything that you've done and
21 look forward to seeing the FCC's actual plan of
22 attack.

1 CHAIRPERSON BERLYN: Thanks, Karen.

2 Marti.

3 MS. DONEGHY: Yes. Thank you,
4 Commissioner. I'm excited about your remarks,
5 especially the sound of boots on the ground in
6 getting to a plan of action. I'm curious, not
7 knowing all the details -- I guess nobody does --
8 about how all this is going to happen.

9 Speaking for myself personally and not
10 AARP, but as a consumer and a concerned consumer, I
11 see this really as a national crisis, almost a
12 homeland security situation. I'm wondering, has
13 there already been some effort to -- you talked about
14 fire departments who may not be or want to be
15 involved as a participant. Has there been any effort
16 to talk to the administration about bringing in FEMA
17 or one of the homeland security agencies, not letting
18 them direct it, but training whatever auxiliaries
19 they have, whatever they would do in a natural
20 disaster or a national disaster, because I really see
21 this approaching this, quite frankly, if people can't
22 get basic communications, especially the vulnerable

1 populations that we're talking about that could be
2 indisposed.

3 COMMISSIONER ADELSTEIN: Well, there's
4 been a lot of creative thinking. A lot of different
5 options are being looked at. Generally speaking, the
6 hope is that we can mobilize resources that already
7 exist on the ground to do this, but the community
8 organizations, local governments. Some are already
9 stepping up to the plate. There are some good
10 examples of efforts that have been done.

11 In Wilmington, North Carolina, where we
12 had a small group, we had staff in the fire
13 department getting paid to pick people up. It was
14 all worked out. It happened for a city that was
15 maybe one-fifth of one percent of all that we need to
16 do. We could handle it on that scale. So the
17 question is how do you scale that nationwide, and do
18 you use fire departments everywhere, or what are the
19 emergency resources that we need? What are the
20 options around the table? So think about that.

21 One of the problems I talked about quite
22 a while ago is having an inter-agency task force

1 which would look at all of the different agencies of
2 government and how can they help. There were a
3 couple of meetings that took place, but that never
4 happened. That happened during Y2K and I was hoping
5 that that's going to be happening now on a formal or
6 informal basis and we're really going to look at all
7 of the government.

8 This is something that's of concern at
9 the very White House level, which is something you
10 didn't have before. So that ability to mobilize
11 agencies across the board is something that we now
12 have, which we should have had a couple years ago if
13 we had a plan in place. But that's something to
14 think about.

15 CHAIRPERSON BERLYN: Nixy.

16 MS. SANTINI: Good morning, Commissioner.
17 It's great to see you again.

18 From Gloria that had to leave for a
19 moment, she wanted me to tell you thank you for all
20 the outreach efforts to the Latino community. And
21 for my part, I want to thank you for your outreach
22 efforts with Puerto Rico. Commissioner Adelstein

1 went to Puerto Rico and he not only went to Puerto
2 Rico, but he gave a speech in Spanish, which is quite
3 amazing, and he was very sensitive with the people
4 who understand English, but not entirely. Not
5 everyone understands English perfectly. So we're
6 very grateful for your sensitiveness with our
7 community.

8 Also on the technical issue, I wanted to
9 ask you if there's any chance that the call center
10 can be used to identify also those areas where
11 coverage is going to become an issue, the footprint,
12 the digital footprint becomes an issue; and also if
13 there is any way that FCC can start planning ahead in
14 those programmatic areas where topography just
15 doesn't help or buildings don't help, so that they
16 can start working with broadcasters to improve the
17 signal in those areas for the sake of public safety
18 in those communities?

19 Is there any way we can do that? I know
20 we have already some projected footprints for the
21 digital signal, but I think if we get the June 12th
22 date for sure then we have some time to plan ahead

1 and to start assessing those problems before they
2 become a real problem.

3 COMMISSIONER ADELSTEIN: (Speaks in
4 Spanish.) Puerto Rico, I really did enjoy that trip
5 tremendously. We learned a lot of issues. It's 50
6 percent over the air. That's a place where the delay
7 is so urgently needed. I'm told that we're going to
8 get that for Puerto Rico and everywhere else that
9 needs it.

10 As far as the information, one of the
11 problems with getting localized information out is
12 that it's kind of difficult to do on a national
13 basis. I've thought about this. We've got those
14 maps and somebody calls in and says: I live in this
15 part of town, I live this side of the hill; why
16 aren't I getting Channel 4? It's very difficult, if
17 not impossible, to train somebody who's answering
18 calls nationwide, and maybe not cost effective, to
19 answer those kind of questions.

20 So one of the issues for the call centers
21 that they're thinking about is how do you hand off
22 that kind of call to somebody who's more localized.

1 One of the reasons that we want local call centers
2 is, when I came down to Puerto Rico and begged
3 everybody and begged the commission down there to
4 have a local call center it was for just that reason.

5 First of all, I didn't know if we would have a
6 national one. I thought we were headed down over the
7 cliff all at once on February 17th and we had to
8 prepare for that, and we still are in a lot of
9 places.

10 But I said, if you don't have your own
11 call center don't count on us, which I think may have
12 been accurate. Now maybe we can get it in better
13 shape. But now we need to transform those local call
14 centers into those that will handle the localized
15 questions that otherwise can't be handled by the
16 national call center, so that if somebody has a
17 specific question about lack of coverage we have to
18 have a system in place in which we can hand those
19 calls off at least to those localities that have
20 them. Not every locality will have them, but I want
21 to work with NAB in particular to have those local
22 call centers up. And people are being very helpful

1 as well in setting up call centers so we can really
2 get localized information out.

3 See, those maps are fairly useless to
4 most people. Nobody's going to go on the web and
5 look at the map and say, well, I live here, and I
6 look at this map before and after. I mean, forget
7 about it. For your average consumer -- for a bunch
8 of engineers, they might be able to figure it out.
9 But for most people, if the broadcasters don't
10 translate that and say, you know, in this part of
11 town you might have some issues with this channel --
12 I really hope NAB will work with the local
13 broadcasters to do that, because that's how we're
14 going to inform people about that. And that way
15 we'll have a lot fewer questions.

16 A lot of the calls we're going to get
17 are: Why can't I get Channel 4 in this part of town?
18 The answer is because you live in that side of the
19 hill and the broadcast tower is over here and you're
20 not going to get it over the air, or you need to get
21 a stronger antenna because of that.

22 But working with people in advance will

1 help us to avoid a problem afterwards. A lot of
2 parts of Puerto Rico are very much in those mountains
3 in the middle and those are where people are going to
4 have a lot of problems in the digital transition.
5 Somehow, the more we can get that word out in advance
6 so people know what to expect, the less of the crush
7 of calls that we're going to get that have to be
8 moved to local call centers so the questions can be
9 answered.

10 CHAIRPERSON BERLYN: Thank you.

11 Okay, Harry, Brendon, and Brenda is who I
12 have, and then we're going to have to cut off
13 questions. Harry.

14 MR. ROESCH: It's nice to see a breath of
15 fresh air coming through here. The enlightenment we
16 hope will be positive.

17 A couple questions. There's a lot of
18 staff here at the FCC that were detailed to
19 Wilmington to help in that transition. I have not
20 seen any report out of what they discovered through
21 the process, what they learned, what issues that they
22 could bring forth to be able to talk about for the

1 FCC. If we could see something in a press release or
2 an outreach-type document from the FCC that would
3 say, these are the issues that we learned in
4 Wilmington, we, our people around this table, we can
5 push this information out and hopefully it will get
6 into the hands of the broadcasters and will help them
7 to figure out how to do the transition.

8 So I have not seen anything that's been
9 put out as a report. Have I missed something?

10 COMMISSIONER ADELSTEIN: I don't think.
11 Cathy Seidel is here. I think she can explain a
12 little about what exactly the lessons were. I don't
13 believe we have a document per se, but various people
14 have talked about it at different points in different
15 speeches. Hawaii also went January 15th and there
16 are some lessons there as well that could be easily
17 promulgated. And then there's going to be a huge
18 learning experience on February 17th from those
19 broadcasters that go forward, which is going to be
20 the biggest experiment of all, that we need to
21 quickly put in place the lessons of that so we can
22 apply them to the new date, assuming one comes.

1 But that would be helpful. Let's talk to
2 Cathy about that.

3 MR. ROESCH: That would be helpful to all
4 of us.

5 The other thing is, you've talked about
6 the national call centers that are functioning here
7 through NTIA, FCC, etcetera, and we're hoping that
8 you can also implement local call centers to deal
9 with regional issues. Is there a complete telephone
10 directory, so to speak, of the 1-800 numbers that we
11 could identify to our respective regions, of what's
12 available in Charlestown, West Virginia, Winston-
13 Salem, Asheville, North Carolina, to help people?

14 If we can put information out from the
15 Appalachian Commission, we can say that this call
16 center may be the more direct one for you to contact
17 rather than dealing with Washington because they
18 can't deal with your issues, you're just on the other
19 side of the mountain.

20 COMMISSIONER ADELSTEIN: We're working on
21 that right now. Once we get this all together, we
22 will definitely have that out there. There's an

1 array of different little numbers here and there.
2 Some local ones are set up, some aren't. So we will
3 make sure that that is done.

4 MR. ROESCH: Thank you very much.

5 COMMISSIONER ADELSTEIN: I don't know
6 who's next.

7 CHAIRPERSON BERLYN: I'm sorry. Brandon.

8 MR. STEPHENS: Commissioner Adelstein,
9 first of all -- I think we commented on this once one
10 time before. I only have one comment for you.
11 Again, I testified to a subcommittee on broadband. I
12 just ask simply, after all this is getting rolling on
13 the digital transition, do not forget broadband in
14 the rural areas.

15 COMMISSIONER ADELSTEIN: Believe me, I
16 never do. It's been a priority since I got here and
17 we're going to get it done. We can chew gum and walk
18 at the same time. We're can do broadband and DTV, I
19 assure you.

20 CHAIRPERSON BERLYN: Brenda.

21 MS. PENNINGTON: Thank you, Commissioner.
22 I'm particularly enthused about your commitment to

1 consumer education. I represent NASUCA on this
2 committee, but day to day I work for the Office of
3 the People's Counsel in D.C. While DTV is not
4 specifically in our purview, we certainly have been
5 out educating community groups about the transition,
6 particularly about the delay.

7 My question is, if and when the DTV
8 transition delay bill is passed, will we be able to
9 find out which states are going to transition on the
10 original February 17th date?

11 COMMISSIONER ADELSTEIN: We will let you
12 know as soon as we know. There's some role in the
13 legislation for the FCC and there's some ability of
14 broadcasters to decide unilaterally. I wonder if any
15 of you has any response to that as well? Are you
16 planning on helping us get up to speed, and have you
17 talked to your local broadcasters about what their
18 plans are?

19 CHAIRPERSON BERLYN: Good question.

20 MR. WILEY: We certainly pledge to work
21 with you on that. It's sort of fluid at this point.
22 I don't think even some of the broadcasters know

1 who's going to go early and who isn't. So we'll have
2 to call it a work in progress and pledge to work with
3 everybody.

4 My channel would like to say something.

5 MS. BOBECK: Just to add we really
6 appreciate the working relationship we've had with
7 all the staff. Particularly the Media Bureau has
8 been fantastic in coordinating. I know it's
9 difficult, planning on two contingencies. So I think
10 an effort for all of us to coordinate and to make it
11 broadcaster-friendly on how to coordinate on a market
12 basis if we have a June date instead of a February
13 date, and also make it consumer-friendly so that you
14 may know in a given area -- maybe we can create an
15 online map so you can click on it and say, I'm in
16 Virginia, who's on, who's transitioning, where, when,
17 and how?

18 So I think it behooves us all to get
19 together and figure out, how does it make sense from
20 a consumer basis to market that transition.

21 COMMISSIONER ADELSTEIN: We're willing to
22 work with you closely on that, because there's going

1 to be a lot of confusion. People think, well,
2 there's been a delay so I can wait right now. In
3 fact, a lot of states are ready to go and that has
4 got to be communicated really clearly. We're doing
5 everything we can to get that out.

6 CHAIRPERSON BERLYN: I think that's an
7 excellent question, and I think it brings up
8 additional questions that I think we will all have.
9 Charles, you may have a follow-up, but can I ask that
10 we bring that subject out because I think we do need
11 further discussion on this issue of when various
12 stations may go early and what that means in each
13 individual market. It will be a question that we
14 will want to discuss further.

15 Charles, do you want to follow up
16 quickly?

17 MR. BENTON: Madam Chairman, I want to
18 follow up on that wonderful point you just made,
19 because it seems to me that compared to the problem
20 we're just a very tiny little entity. So the
21 question is what can we do to really be effective to
22 help on this in the remaining time. I think the idea

1 that surfaced in the last five minutes of looking at
2 the 2-17 -- we're helping the NAB, but this might be
3 a thing that we could rally around as a team, to look
4 at what lessons are learned about this on the 2-17
5 that we should apply to the 6-12 deadline, on the
6 assumption that Congress is going to make that
7 decision, which looks as though it will happen.

8 That might be a real point of focus for
9 us as an advisory committee, to really zero in on
10 that and see how as a team we might work towards
11 understanding the lessons of 2-17 and try to apply
12 those lessons to 6-12. Just my suggestion.

13 CHAIRPERSON BERLYN: Very good. Thank
14 you.

15 Thank you so much, Commissioner, for
16 joining us this morning.

17 COMMISSIONER ADELSTEIN: Thank you.

18 CHAIRPERSON BERLYN: We appreciate your
19 remarks.

20 (Applause.)

21 CHAIRPERSON BERLYN: May I indulge your
22 patience for just two minutes. Tony, he has been so

1 patient. He has been here since 9:15. He asked if
2 he could just come back for a few minutes, and then
3 we are going to take a quick break. So please don't
4 take your own break right now. Just listen to Tony.
5 He wants to be here for no more than what, ten
6 minutes, five, ten minutes maximum. Then we're going
7 to take a quick break, a short break, and then please
8 come back for Cathy Seidel's remarks.

9 MR. WILHELM: Certainly I'll take any
10 questions, but I did want to correct something I said
11 earlier, which is in the Senate bill passed last
12 night there is an opportunity for each household to
13 request a coupon for each coupon that had expired.
14 So it can get up to two per household in the Senate
15 bill. I was looking at it on my Blackberry. So
16 that's something I misstated earlier. I apologize
17 for that.

18 Secondly, I do want to mention, Ken's
19 point about making recommendations after the stimulus
20 bill passes, that's too late. We need your
21 recommendations yesterday, basically. I mean, if
22 we're going to have -- when our leadership's going to

1 come in next week, we plan to have recommendations to
2 them to use these funds. So we have to plan last
3 week to use these funds. We're operating in real
4 time here. This is something that's going to happen
5 so fast.

6 For those of you who don't know
7 government, to get proposals bid, whether it's
8 contracts or grants, we really move mountains.
9 Cathy's in the room here. Whether it's the contracts
10 the FCC did or the grants that NTIA made, these
11 things usually take years to pull off. We've done
12 these in weeks and months.

13 Then when you do that, you start to
14 really -- there was a whole issue on this
15 administration, rightly so, on accountability,
16 transparency. Everybody wants to compete everything.
17 That's obviously critically important. We also have
18 a huge time constraint here in terms of when this
19 thing's going to happen, when we need to provide
20 funds to communities. We need to do that
21 immediately.

22 So how do we do that? Well, the

1 government only has so many options at that point in
2 time. So we need your ideas today. If again we had
3 to do this noncompetitively like we did last time, we
4 would basically be sitting waiting for unsolicited
5 proposals, which is how we did that last time with
6 LCCR. So you can't wait for us to come to you
7 necessarily. You should assume that these moneys are
8 going to be available, and as someone who's familiar
9 with the nonprofit world -- I've been there; I've
10 been in all of your shoes -- you have to take a risk,
11 assuming that some funds will be available, and
12 develop ideas or proposals. It's that preparation
13 that's going to lead to opportunities for you all,
14 not to wait and see what happens. It's going to be
15 too late if you wait until the end of February or
16 early March. All those decisions will have been
17 made.

18 I did want to underscore the
19 Commissioner's point about they are meeting daily
20 again, the FCC and the White House. We do see our
21 operations moving forward as being as seamless as
22 possible with the FCC. We'll be making these

1 decisions, the leadership will be making these
2 decisions here jointly. We want to figure out the
3 best way to use these if we get \$90 million.

4 So Ken, I want your ideas by close of
5 business today.

6 (Laughter.)

7 CHAIRPERSON BERLYN: Tony, I thank you.
8 I thank you for your remarks.

9 Can I just say one thing, because I'm
10 just -- we've all been working on these issues for a
11 long time, and we all probably don't want to repeat
12 the same things we've said for so long. While we are
13 here, it's a new day and we've got this opportunity
14 and we may have an opportunity to do this for four
15 more months and no longer. We all know, right? No
16 longer than four more months.

17 Do we have a sense that this time around
18 there will be a coordinated effort? Because we've
19 seen that there may be more money in here and there
20 may be more money that could very quickly need to go.
21 We really need to have a coordinated effort. That is
22 key, that we really need to make sure that there's

1 sort of someone who's holding this together.

2 MR. WILHELM: The answer to that is yes.

3 You've heard that from the Chairman, you've heard it

4 from the Commissioner, you've heard it from me. And

5 we're doing that in practice. Every day we have

6 meetings and the Chairman is on those meetings.

7 That's pretty remarkable. He's on a daily meeting --

8 CHAIRPERSON BERLYN: That's great.

9 MR. WILHELM: -- moving this thing

10 forward. And the White House is on these meetings

11 every day.

12 CHAIRPERSON BERLYN: Who is coordinating

13 from the White House?

14 MR. WILHELM: You can't get a better

15 commitment than that.

16 Susan Crawford.

17 CHAIRPERSON BERLYN: Susan Crawford.

18 MR. WILHELM: So we have the highest

19 commitment. The answer is yes.

20 CHAIRPERSON BERLYN: Excellent.

21 Thank you so much, Tony. I appreciate

22 it.

1 We're going to take a very short break.

2 Please, if everyone could be back in their seats at
3 10 after 11:00. It's 11:00 o'clock now, so 10 past
4 11:00 be back.

5 Yes, Ken?

6 MR. McELDOWNEY: Just a really quick
7 thing. Could you try to set up a conference call for
8 folks on the CAC who want to be engaged with the
9 Commission staff in terms of outreach and education?

10 CHAIRPERSON BERLYN: Absolutely, yes.

11 MR. McELDOWNEY: I hear it had to be
12 yesterday.

13 CHAIRPERSON BERLYN: What's that?
14 Yesterday?

15 MR. McELDOWNEY: I hear it had to be
16 yesterday.

17 CHAIRPERSON BERLYN: Yes, you missed it,
18 Ken. We did it yesterday. Sorry.

19 (Laughter.)

20 CHAIRPERSON BERLYN: Yes, absolutely.
21 We'll figure this all out, yesterday, today,
22 whatever. But before we all leave today we'll figure

1 this out. Thank you.

2 Oh, it looks like no one wants a break,
3 but I do. I have the Senate legislation, the
4 legislation to be taken up by the House next week, so
5 I'll pass this out as well. It's S. 352. Tony's
6 right. I was very surprised. It's something that's
7 a little different than what I thought, that they can
8 get one coupon for every coupon that expired per
9 household. So that means it is -- that's amazing. I
10 don't know how they're paying for all this, but I
11 guess out of that \$650 billion.

12 (Recess from 11:01 a.m. to 11:14 a.m.)

13 CHAIRPERSON BERLYN: Let's do a quick
14 check of our agenda, everyone. We are a little off,
15 but you know how we always catch up. We had an
16 excellent discussion. We've actually probably done
17 some of the discussion that we would have during this
18 particular hour that we've all set aside for our
19 discussion with Cathy, so we probably won't need that
20 much time, 45 minutes.

21 So we will hopefully catch up a little
22 bit. We want to make enough time for our working

1 group to have our meeting, which will be after we all
2 pick up our lunches.

3 So without further ado, we will now start
4 our session with Cathy Seidel, who, as you all know
5 and have heard many times during our sessions before,
6 is the Bureau Chief for Consumer and Governmental
7 Affairs, and she's going to fill us in on what they
8 have been working on with the DTV transition. We
9 want to welcome you. Thank you very much, Cathy.

10 DTV TRANSITION UPDATE

11 MS. SEIDEL: Thank you, everybody. I
12 know your time here is precious and I know you've
13 heard a lot already, that you've heard the Chairman
14 and the Commissioner say what I would otherwise say.
15 So my remarks will be fairly brief.

16 I did want to mention a couple things,
17 though. First of all, I think it goes without saying
18 -- and I think each of you understood this, too, but
19 I do think time is of the essence to the extent
20 people have suggestions for things that should and
21 could be done with respect to DTV outreach. I know
22 that to the extent that additional funding comes

1 through NTIA or the FCC, that's particularly
2 important. But it's equally important that if
3 additional funding is not made available or even if
4 it is, what sorts of things could we and other people
5 out there be doing to try to help ensure that that
6 last piece of this process, whether it be on February
7 18 or on June 13, occurs to help those who need help
8 in installing their box or getting reception or
9 figuring out why they can't get reception.

10 I think to the extent money is made
11 available, that really helps a great deal, even if it
12 doesn't -- throughout the country, we have over 3,000
13 counties and we have over 50 states. We have so many
14 local communities out there that are going to need a
15 local presence to help them.

16 We're doing what we can -- the call
17 centers, you heard the Chairman and the Commissioner
18 mention -- to have the numbers for people to call.
19 We're looking at ways we can enhance the information
20 we're making available to the agents who are
21 answering the phone, so that we can give them at
22 least basic information to the extent we know it,

1 about what the coverage may be in their area. And
2 then, as the Commissioner and the Chairman said,
3 having a directory for the agents to use that will
4 then direct them to the different local communities,
5 community-based organizations that we're aware of,
6 either because of the grassroots contracts that the
7 FCC awarded or the NTIA grants that result in a local
8 presence.

9 Then of course we'll be working with the
10 broadcasters to see about a directory that we can put
11 the numbers for consumers to call to find out about
12 particular technical challenges or questions they
13 might have about coverage or signal reception. The
14 broadcasters are working on that, doing what they
15 can. Some of the broadcasters may actually have
16 numbers that they will be using for their viewers to
17 call so they can get answers to the questions about
18 why a particular consumer in a particular place may
19 be having challenges.

20 Other broadcasters are working together
21 with the state broadcasters and they have a single
22 number for consumers in that state to call with those

1 types of technical issues. Again, we're enhancing
2 the information we have available to our agents as
3 well.

4 We also will have in there, as I think I
5 just mentioned, a directory of the groups that we
6 know of that are willing to go into the homes of
7 people to help install the converter boxes and a list
8 of help centers that are being established around the
9 country by organizations to help consumers with the
10 shift, with the digital transition and the shift to
11 digital.

12 So those are some of the things we're
13 doing, and that's on kind of the call center side.
14 On the outreach side, I think the Commissioners
15 alluded to the fact that we're already kind of
16 evaluating the staff we have internally, getting
17 another call for volunteers throughout the agency to
18 see where we could possibly have even more people
19 that we can put onto the boots on the ground effort.

20 That said, our agency isn't that big of
21 an agency and I think that the Chairman said the day
22 after he was named, he said that his priority, this

1 agency's priority, number one is digital TV, number
2 two is digital TV, and number three is digital TV.
3 So all of the available resources are being put on
4 this. But when you're talking about the size of this
5 country, the number of consumers that may potentially
6 be affected, it goes without saying that we need the
7 help and suggestions from people like you around the
8 table of how do we find local community places that
9 we can refer consumers when they really do need that
10 last bit of help and it needs to be local.

11 So that's one thing. Suggestions you
12 have on that, feel free to let Debby know and I'm
13 sure she'll put together suggestions for the
14 committee. But do know that individually if you want
15 to share anything with me individually you are more
16 than welcome to. We do value the input. To the
17 extent there are things that we should be doing or
18 could be doing -- I know if it's February 17th we
19 have very little time, so I would welcome those
20 comments whenever you want to send them. Even if
21 it's June, we still don't have very much time. We
22 need the bulk of your suggestions.

1 As I said, on the money side, I'm sure
2 everyone will have proposals for how to spend the
3 money. But even if there's not money or even setting
4 aside things we can do with the money, what
5 suggestions do you have for what we could be doing to
6 help reach these consumers? And really, not just
7 reach them; I think there are many statistics that
8 you've seen from whatever source that demonstrate
9 that consumers are definitely aware of the
10 transition. How do we help them get the boxes,
11 install the boxes, and get good reception? That's
12 the place where I really think the focus needs to
13 shift.

14 A couple of things. I think -- I
15 actually think I had a few bullet points and I think
16 I went through them. I really did want to kind of
17 leave the rest.

18 I should say to you the Chairman has
19 identified Rosemary Harrold, who is in Commissioner
20 McDowell's office, and is working with me and is
21 working with Gary Epstein and others to really
22 identify ways to enhance the call centers. So just

1 so you know, the Chairman and the Commissioners are
2 all working together on this. Rosemary is focusing
3 on that side to see what we need to do, do
4 differently, and enhance. Then, as Commissioner
5 Adelstein was saying, Rudy DeBuchais is working with
6 us on outreach, both in terms of outreach and how we
7 utilize external sources and contracting and the
8 like, but also in terms of what our folks are doing
9 and should be doing more of and whether we need to
10 shift resources around.

11 We are looking at, too -- that reminds me
12 -- how to focus those resources in terms of, okay, we
13 have so many people out there, but are they in the
14 right places. If there is a delay and certain
15 stations go on the 17th of February, then we should
16 be thinking about redeploying the resources that
17 maybe were there into some of the areas that are
18 going to go later.

19 So we are constantly looking at where do
20 we need more help, where can we shift them, how do we
21 get new volunteers. That is something that the
22 Chairman's office is definitely focusing on as well.

1 So with that, I'm happy to answer any
2 questions you might have.

3 CHAIRPERSON BERLYN: Cards are up and I
4 apologize, I was busy writing, so I did not see the
5 order. I have very good peripheral vision, but I did
6 see Shirley's card went up. Her card went up when I
7 went to the ladies room. I saw that happen. So
8 Shirley is first, and then let's just go around the
9 room. Sorry, Karen. But Karen's going to say thank
10 you, I know. Right?

11 (Laughter.)

12 MS. PELTZ STRAUSS: I have a question.

13 CHAIRPERSON BERLYN: We're going to go
14 around the room. Shirley.

15 MS. ROOKER: I really have a question
16 that was just conveyed to me by my office. Ed in my
17 office heard a report on the radio this morning about
18 the impact of delaying the transition. Prince
19 George's County indicated that the broadband that
20 they have allocated, that they have a part of for
21 emergency use, if the transition doesn't take place
22 that they would not be able to test their broadband

1 for emergency use until next year.

2 It has to do with the leaves on the
3 trees. Now, I'm getting this thirdhand, so if I
4 sound stupid it's because I am.

5 But is there some comment on this? I'd
6 never heard this before. Does it have something to
7 do with the time of year?

8 MS. SEIDEL: Two pieces to it. I think
9 the first piece is certainly to the extent the
10 deadline shifts to June and the digital broadcaster
11 chooses to go to June, chooses to wait until June, to
12 the extent the public safety community is relying
13 upon the February 17th date it would seem to me
14 reasonable that they may have to wait until June.

15 Then if what they're saying -- and again,
16 we have an engineer in the back; after I'm finished
17 speaking, Julius is here and he can answer it for
18 sure -- but presumably if the issue is then what the
19 terrain is like and leaves on trees and all that kind
20 of stuff, it means that from a practical perspective
21 it's then later that they can actually start testing,
22 I'm not sure. But I suspect it has to do with when

1 the broadcasters choose to go based on the fact that
2 they might have that additional time.

3 MS. ROOKER: But it specifically
4 mentioned the leaves on the trees.

5 MS. SEIDEL: We do have an engineer back
6 here, so if you can hold on the leaves on the trees,
7 we'll get to that. We'll get to the engineers.
8 That's a good question, though. Thank you.

9 CHAIRPERSON BERLYN: Brandon.

10 MR. STEPHENS: One of the things that
11 we've been trying to do, especially in my region, is
12 put out some good information. There have been some
13 newspapers and some radio stations that have
14 contacted me about what's happening with the digital
15 transition. They know I serve on this committee and
16 that sort of thing.

17 One of the things I don't want to do is
18 putting out the wrong information or information that
19 can be taken the wrong way. Just any suggestions
20 there for when that comes around? So some bullet
21 points on the press kit? Because I know that now
22 that all the activity has happened the newspapers are

1 going to call again.

2 Or when we're out there talking to the
3 community, because we're going to obviously do some
4 more focus groups now that we have some new
5 information now?

6 MS. SEIDEL: That's a good point,
7 Brendon, and Thomas is here, too, and he helps me
8 oversee this committee. I think that's a very good
9 point and to the extent there is a delay I know we
10 will be putting together talking points for our own
11 resources in the field to utilize, to help really
12 clarify what the delay means for consumers. So to
13 the extent we put those together, we'll also get them
14 together to share with you.

15 I know you are incredibly fast at getting
16 the word about what happens here, and a lot of times
17 Scott's forwarding me the emails that all of you send
18 and it's like within seconds of me finding out. But
19 we will, when we have the information for our own
20 purposes, share it with you.

21 A couple of things that I think our
22 messaging needs to say if there is a delay, and the

1 people who have been working in the regions and
2 around the country would emphasize this, is even if
3 there is a delay it does not mean the broadcasters
4 can't go early. As Lauri was saying before, they can
5 go early. So in some ways the consumer needs to be
6 aware of whether their stations are going to be still
7 going on the 17th, and if they don't the more
8 cautious approach is to prepare for the February
9 17th; and that certainly preparing now doesn't --
10 there's no disincentive to going ahead and preparing
11 early.

12 From a personal perspective, we all know
13 that consumers, or at least many consumers, are
14 motivated by deadlines. I for one am trying to
15 continue the agency with the messaging because
16 whether it's June 12th or February 17th, we don't
17 want consumers waiting until the last minute.

18 So one, the messaging should be it gives
19 the stations the option of waiting until the 17th;
20 consumers should still be prepared and look for those
21 analog pass-through boxes, so whether they're talking
22 analog or digital signals they're covered. That

1 would be I think what I we show.

2 CHAIRPERSON BERLYN: Thank you.

3 Charles.

4 MR. BENTON: I'm Charles Benton.

5 Cathy, first of all, thank you for all
6 the efforts that you and your team have put forward
7 on this under challenging circumstances at best.

8 I want to focus a little bit on the \$8.4
9 million, the set of 12 grants made by the FCC, that
10 was announced in the press on January 6th. The
11 deadline for the RFP submissions on this was October
12 21 and in fact I think our Chairman helped to move
13 that deadline up so it would give more people a
14 chance to apply. So the deadline for that was
15 October 21.

16 It then took until January 6th to make
17 decisions about this, which is about 10 weeks. Some
18 of the groups, according to the indications, actually
19 found out about their being granted the award from
20 the press release. It was really, to put it mildly,
21 surprising.

22 Anyway, the nine groups that -- the 12

1 grants, 3 of which are national plans, which were to
2 the AARP for \$2.7 million, the Communications
3 Services for \$1.1 million, and the Hispanic
4 Information Telecommunication Network for 750,000.
5 Most interesting to me was in the nine state, local,
6 and regional plans, the first one on the list was to
7 Pintech Corp for \$2.8 million, \$2.8 million, for
8 doing the four-state region of Virginia, West
9 Virginia, North Carolina, and South Carolina. All
10 the other regional grants were under a quarter of a
11 million.

12 So I've got some questions about this.

13 MS. SEIDEL: Are there any other
14 questions?

15 (Laughter.)

16 MR. BENTON: And while we're being
17 critical about this, because these are facts, how
18 does one make the most of this and learn from the
19 grants that have been made, rather than sitting here
20 and trying to second-guess and judge the decisions
21 that were made here and the lack of timeliness and
22 all that, it's what to do with this going forward.

1 With the idea of looking at February 17th
2 as a way of learning lessons, here you've got a model
3 in effect with Virginia, West Virginia, North
4 Carolina, and South Carolina really, from which you
5 could really learn important lessons there in place
6 that could be then vetted out in this noncompetitive
7 -- Ken's organization, where there's 11,000, how does
8 one take the lessons learned here in 2-17 and apply
9 these looking towards June 12th?

10 So if you could talk a little about this
11 and about how you can make a silk purse out of a
12 sow's ear? How can you build from this reality base
13 of these \$8.4 million grants, which I assume is part
14 of the \$20 million that you got from Congress. I
15 don't know how much of that -- how much of that \$20
16 million is left, has not been spent?

17 MS. SEIDEL: I can't tell you that
18 answer, but I can tell you if you look at the call
19 center contract -- and please don't quote me on this,
20 but I think the grassroots and the call center I
21 think were --

22 MR. BENTON: That's IBM, right?

1 MS. SEIDEL: Right. So take that and you
2 take the grassroots, you're getting pretty darn close
3 to 20.

4 MR. BENTON: Right. So what can you
5 learn from this short-term to apply to the second
6 transition? That's my question.

7 MS. SEIDEL: I think rather than talking
8 about how the decisions were made about the
9 grassroots, which I think plenty of questions have
10 been asked -- there are questions internally. But I
11 think really your point about, okay, they're there,
12 how do we capitalize on them and direct them into the
13 proper direction based on the constraints that exist
14 or the context that exists vis a vis the contract
15 that was awarded?

16 But I think certainly the solicitation
17 was aimed at trying to reach people who are harder to
18 reach and to help them and give them assistance to
19 actually go and get the box and prepare. So I think
20 our focus is continuing to encourage the entities who
21 are working with us to do as much as they can in
22 terms of walk-in help centers, and many of them are

1 providing those, and to do as much as they can in
2 terms of installations in home.

3 So I think what do we do? We continue to
4 work with them and continue to work in that
5 direction, and to the extent they are doing phone
6 centers continue to make sure that they're providing
7 the best messaging possible based on the information
8 we have, the information that we're gaining every
9 day, and certainly information if there is a delay
10 about what happens on the 17th in any event, and
11 incorporating that into the messaging.

12 So I think it's kind of going forward. I
13 will say, to the extent -- I think Tony was saying
14 too that there is a very, I think, close dialogue
15 between agencies and others about to the extent there
16 would be funding, additional funding made available,
17 ways that that could be spent in the most productive
18 way, in the most efficient way.

19 I think some of what has happened in what
20 this initial round of contracts, certainly some of
21 the things we've learned, seeing questions we've had,
22 questions the contractors have had, will all play

1 into hopefully doing it even better the next go-round
2 if that's the route that's taken.

3 That said, in fairness, I will say that
4 both -- and I think you alluded to it, too, and maybe
5 somebody else did. The preparation of the
6 solicitation for those grassroots contracts -- the
7 grassroots, that came out of Wilmington and the fact
8 that we recognized very early on that a local
9 presence, people actually in the community to help
10 those that need it, is truly one of the most
11 important elements to the transition. So those
12 contracts really did fall mainly out of that.

13 So I think we're trying to learn from
14 what's happened in terms of transitions that have
15 taken place and the questions we receive from
16 consumers. Then I think we're trying to learn from
17 the people that are helping us here with contracts
18 and also working closely with Tony about how their
19 grantees are helping them, so that we figure out the
20 most productive way going forward to really
21 capitalize on what we have learned.

22 But I think your point is well taken. I

1 don't know if I've answered your question.

2 CHAIRPERSON BERLYN: Charles, just to
3 plug in on that, more on the process, we might
4 actually compliment ourselves, the CAC, on the fact
5 that those contracts actually happened, because that
6 was a recommendation of the CAC, that that actually
7 happened. Way back when, I don't know -- Scott and I
8 were just talking about when that was. It was maybe
9 some time early last year that we recommended that
10 something like that take place. So that was a
11 recommendation of the CAC at one time, that the FCC
12 reach out and provide some support for that.

13 MR. BENTON: Plus the funding, of course.
14 Details, details.

15 MS. SEIDEL: If I might, if I might
16 interrupt, that does bring us back to a point, too.
17 We did the solicitation in anticipation of the
18 additional funding being made available. So just to
19 be clear, that \$20 million -- somebody else around
20 the table can maybe help me -- it was very late in
21 coming actually to the door, to the FCC. So even if
22 we had wanted to and even if in the process we were

1 ready to do it in November and December, we couldn't
2 have.

3 CHAIRPERSON BERLYN: Harry.

4 MR. ROESCH: In lessons learned, in what
5 everybody did down there in Wilmington, do we have
6 any understanding of the issues that are common to
7 what was tried to be implemented and what can be done
8 better? I haven't heard anything yet.

9 MS. SEIDEL: I think there are a couple
10 of pieces to that. One, as I said before, helping
11 the grassroots and community organizations and local
12 centers. I know people don't always want to hear
13 that, but that's the reality.

14 The other piece is the importance of the
15 relationship with the local broadcasters. It's
16 absolutely critical. In Wilmington there was an
17 excellent relationship, in Hawaii as well, a very
18 excellent relationship with the local broadcasters.
19 So that there was very good communication and very
20 good support, and I think it was invaluable.

21 I think that is probably -- those two are
22 the key lessons learned I think that came out of both

1 transitions.

2 Thirdly, we did get a fair amount of
3 data, if you will. We tracked pretty granularly the
4 calls that came into our call center after Wilmington
5 and after the Hawaii transition to see what were
6 consumers telling us, what were they asking us or
7 what were they telling us. The information I think
8 is available on our web page. There was a press
9 release after Wilmington. Hawaii, I don't think I've
10 seen it yet.

11 But it basically told you, okay, how many
12 of these consumers just weren't aware of the
13 transition, how many of them couldn't get a converter
14 box or hadn't gotten their coupon yet, how many of
15 them had trouble installing their converter box, and
16 how many of them just couldn't receive a signal.

17 Interestingly, the same categories of
18 questions have arisen at the Wilmington transition,
19 the various soft tests around the country, and after
20 the Hawaii transition. So one piece of it is it's
21 been consistent along the way, and what varies is the
22 percentage of people who have an issue with getting

1 the coupon, which is -- not issue in terms of
2 actually getting the coupon, but whether they've
3 applied for it and gotten it back and actually
4 redeemed it kind of thing; and then the reception
5 issues.

6 Initially with Wilmington, the consumers
7 would report reception issues -- and I think this is
8 important to note -- but it really wasn't always a
9 reception issue; it was that the consumer hadn't
10 quite scanned or rescanned after adjusting the
11 antenna, they didn't quite have their box set up
12 properly, they forgot to put the antenna back in.
13 There were things like that.

14 But our messaging has also evolved as
15 we've heard from consumers. There was one day when
16 multiple agents heard from consumers who their whole
17 problem was that they really had not unwrapped the
18 battery that went into the converter box remote.
19 Well, you know, when you start hearing it from a few
20 people, it sounds silly, but it's a problem. If you
21 look at those, the plastic is wrapped very tightly.

22 So what did we do? We have it on the

1 troubleshooting tips. So if you -- oh, that's the
2 other thing in terms of input to this process. If
3 you are hearing from consumers about particular
4 issues they have that you think would be good tips
5 for us to use both through our agents answering the
6 phones and then also through the people on the ground
7 or through or publications or Internet site, we would
8 welcome those.

9 There have been things that people around
10 this table have told me that have caused us to evolve
11 our messaging, add FAQs on the web page, or put out
12 an advisory to help consumers.

13 So I do invite you all to provide that
14 input as well.

15 CHAIRPERSON BERLYN: Great. Thank you.

16 Brenda, you did have your card up
17 earlier. Do you still have a question?

18 MS. PENNINGTON: No, that was from the
19 last.

20 CHAIRPERSON BERLYN: Okay, all right.

21 Thank you.

22 Karen.

1 MS. PELTZ STRAUSS: I have a question
2 about captioning again, and actually specifically
3 about the call centers. One of the things that we
4 think would be very, very helpful would be to have
5 dedicated staff to specifically answer captioning
6 questions and to specifically publicize a number
7 specifically for captioning -- and video description;
8 I should say "pass-through questions."

9 These are very unique. I am sure they're
10 coming in, but I'm sure they're getting lost because
11 they're so highly technical. So I'm asking you for a
12 commitment right now, because if you don't --

13 MS. SEIDEL: Because I have that
14 authority.

15 MS. PELTZ STRAUSS: Because you have that
16 authority and you have the support of the Chairman --
17 you do have the authority -- and because if you don't
18 -- we have a resolution later on other matters than
19 captioning. It's not in there, but if you can't give
20 me the commitment or you think that we need to pass
21 the resolution, we'll add it in, because until we
22 have dedicated staff dealing with these issues we're

1 not going to -- we heard this morning we're going to
2 get a technical group.

3 We actually have a person out there.
4 She's not at the table here. You may have heard her
5 name, Dana Mulvaney, who has become basically the
6 nation's investigator of these issues and has a whole
7 list of troubleshooting issues.

8 She has a whole list of troubleshooting
9 tips that she has gathered. We can get those to you.

10 MS. SEIDEL: If I might interrupt, I
11 think your point is a really good one. The first
12 question I have -- and I know if Rosemary Harrold
13 were here she'd ask the same thing -- do you really
14 mean we need to have a separate number that then
15 would have to be publicized? Or if what you mean is
16 somebody who has a captioning issue, there's an
17 opportunity for them early on to indicate when they
18 call our toll-free number that they have a captioning
19 issue and that that call would go to a dedicated
20 staff of people who are well-versed on captioning
21 issues?

22 Like the numbering thing, I always hear

1 from Debby and other people too many numbers actually
2 has a negative effect.

3 MS. PELTZ STRAUSS: Let me talk it over
4 with --

5 MS. SEIDEL: Okay.

6 MS. PELTZ STRAUSS: -- the other
7 representatives of people with disabilities. My
8 concern is that the questions have been getting lost.
9 So if, I suppose, staff as soon as they hear "closed
10 captioning" immediately say, okay, you're being
11 transferred, then that may suffice.

12 MS. SEIDEL: I think that makes a lot of
13 sense and I suspect others will here, too. But I
14 will take it back, and she can get back to me on the
15 number, but I suggest making sure the -- I talk too
16 fast, too -- making sure the staff is dedicated and
17 well trained.

18 MS. PELTZ STRAUSS: Okay, thank you.

19 MS. SEIDEL: You're welcome.

20 CHAIRPERSON BERLYN: I actually have my
21 card up and I do want to ask you a question, Cathy.
22 In the final days of the former Chairman there was an

1 award given to IBM of \$12 million for call center
2 operations to enhance the FCC's call center. I know
3 it was specifically geared toward the original, the
4 current and original transition date of February
5 17th.

6 My question is how does that work, and if
7 there is a delay in the date how will that be
8 adjusted. I think also as a follow-up question to
9 maybe what Karen has asked, that's a lot of money and
10 can we do things to enhance our capabilities to
11 address some of these issues that are outstanding?

12 MS. SEIDEL: A couple of things on that.
13 I think the contract that was awarded certainly did
14 anticipate the February 17th deadline. To the extent
15 there is a shift in the date, I'm told that there are
16 provisions for the contractor to continue to provide
17 service. But the issue is how far that -- 12.4 was
18 it -- how far that \$12 million goes? So in other
19 words, it depends on the volume of calls and how you
20 spread your agents.

21 So I think right now we're working toward
22 February 17th. If the date changes, people are

1 actively figuring out, okay, what does that mean for
2 the call center. I think an obvious -- at least my
3 obvious reaction is it means there's going to have to
4 be new money there. I think even if you spread
5 people as much as you can, I think there will be a
6 need for more money to staff the call center if
7 you're talking four more months.

8 The other piece of it is that award was
9 to supplement -- we have about 60 to 70 employees on
10 the phones. We also have about 136 contractors in
11 place today that are answering the 1-888 toll-free
12 number and our TTY number. We knew that even if we
13 expanded as much as we could physically, both in
14 terms of seats and in terms of our own networking
15 infrastructure, we would need more help to handle the
16 volume of calls.

17 So that's when the contract went out. It
18 was awarded to IBM. If I'm not mistaken, the
19 contract anticipates being able to handle so many
20 agent calls. Again, it gets kind of complicated
21 whether you're talking agents in their seat at any
22 given time or agents in the seat at the busy time.

1 It really does vary.

2 But it would not -- even that amount is
3 not nearly enough to handle the volume of calls that
4 are being expected, which is somewhere between \$1 and
5 \$2 million within the week of the transition. It's
6 phenomenal call volume. Practically no call center
7 anywhere around this you can handle that call volume.

8 So it was very fortunate that the
9 industry has stepped up, NAB, the Cable Television
10 Association, satellite companies, to actually create
11 and staff a separate organization that probably will
12 be -- and I'm speaking a little bit out of school
13 because it's their center, and anybody can jump in
14 here since they're here -- but I think over 6,000
15 agents to handle calls as well. So between their
16 agents, our agents, it's a significant step in the
17 right direction in terms of being able to field what
18 we think will be the volume of calls.

19 So we are fortunate that that's
20 occurring. Then just to be clear, from what the
21 Chairman said -- and I mentioned before Rosemary
22 Harrold's involvement -- there's absolutely no

1 question that the industry call center, the FCC's
2 call center, and the NTIA call center will be very,
3 very, very closely coordinated, integrated, and I am
4 confident that the experience the consumer gets will
5 be a smooth one. We're endeavoring to do what we can
6 to make sure that not only do we tell them as much as
7 we know, but be able to give them numbers, as I said,
8 for either people to help them install the box or
9 local folks who can tell them what kind of challenges
10 they may be having technically and whether and how
11 they might fix them.

12 One of the things, too, since you're all
13 people with a consumer focus, we really are in our
14 messaging also trying to make sure that there isn't -
15 - that consumers aren't misled into thinking that
16 they need to do or buy things if it may or may not
17 help them. So for example, I think what we're trying
18 to do is gather more information internally, share it
19 with the people who are on the ground about, okay, is
20 a brand-new antenna really going to help you?
21 Ideally, if it does, great. But there may be some
22 consumers really that are so far outside the reach of

1 that digital signal that a newer or better indoor
2 antenna isn't going to help them and perhaps an
3 antenna on the roof isn't going to help them. The
4 last thing we want is that consumer going out, buying
5 a new antenna, and having the new antenna installed.

6 So we're trying to get information so
7 that the consumers really have everything that would
8 be helpful to them in their decisionmaking. That's
9 just another piece of this.

10 CHAIRPERSON BERLYN: Very good.

11 Thank you so much, Cathy, for your time.

12 Ken, you have a quick follow-up?

13 MS. SEIDEL: No, he was going to tell me
14 "thank you."

15 (Laughter.)

16 MR. McELDOWNEY: I guess I do have a
17 question. Since we're all sort of thinking about
18 outreach and the community-based education, I'm
19 wondering which of the excellent publications on the
20 web site are available for free in printed versions,
21 I guess. I couldn't really tell from the web site
22 what can be ordered.

1 MS. SEIDEL: And it's because it isn't
2 there. But so far, Ken, we can tell you that any
3 organization so far that has called us and said, can
4 you send me X number of publications in this
5 language, we have been able to do it for them at no
6 cost. Now, that's not to say if you tell me you're
7 going to hand out two million copies that there might
8 be a charge. But for the most part we're doing what
9 we can, because you are helping us and we know that.
10 So to the extent we can, we try to make them
11 available to you.

12 I should mention too that we are working
13 to enhance the web page. We are looking at ways to
14 make it more user-friendly, not just for the
15 consumers that have the unit because that's the bulk
16 of the consumers and probably they're the ones
17 worried about it, those who have the unit, but people
18 who help them. So that's why we want to make sure
19 that it's user-friendly and we are going to make
20 enhancements to make it even more user-friendly and
21 add even more valuable information to the consumer in
22 terms of coverage and technical issues as well.

1 MR. McELDOWNEY: I guess the other part
2 of it then would be, if in fact we were thinking
3 about doing a proposal in which we needed several
4 hundred thousand copies of 10 or 20 different
5 publications, is that something you could meet or is
6 that something we should include in the proposal?

7 MS. SEIDEL: Here's what I would tell you
8 based on the past life of looking at the proposals.
9 If I were you, I would include your proposal both
10 ways: if you make them, what you think the charge
11 will be; and if you don't. That way, you don't have
12 to go back and forth with mods or anything like that.
13 At least that's what I would do.

14 MR. McELDOWNEY: Thanks.

15 CHAIRPERSON BERLYN: Cathy, I just want
16 to thank you for not only your time today, but all
17 the time that you do spend on this.

18 MS. SEIDEL: Thank you. thank you all.

19 CHAIRPERSON BERLYN: You've spent the
20 past couple of years on this and we really appreciate
21 it. Thank you so much.

22 MS. SEIDEL: Thank you. I really do look

1 forward to your input. Thank you.

2 (Applause.)

3 CHAIRPERSON BERLYN: Stay in your seats,
4 because I know you're ready to jump. We have two
5 guests that I want to make sure we give fair and
6 adequate time to, who are going to quickly talk about
7 their efforts at the grassroots. You've heard
8 reference to this all morning: the Leadership
9 Conference on Civil Rights and the National
10 Association of Area Agencies on Aging, NAAAA.

11 I want to invite our two guests to join
12 us at the table. We have a mike here, and is there
13 another mike at the table that's open? Both of you
14 come on over here.

15 They're going to tell us about their
16 programs that have been funded by NTIA that Tony
17 mentioned, as well as Chairman Copps mentioned as
18 well. We're going to have them quickly tell us about
19 their programs that have offered some boots on the
20 ground efforts on DTV in some of the areas of the
21 country. Then we will talk about how we're working
22 our agenda for the balance of the day.

1 So thank you both. Which one of you
2 wants to go first? I'll introduce you. Erica?
3 Erica Swanson with Leadership Conference on Civil
4 Rights. Thank you, Erica.

5 DTV GRASSROOTS ACTIVITIES

6 MS. SWANSON: Thank you. Again, my name
7 is Erica Swanson, with the Leadership Conference on
8 Civil Rights. We are a national civil human rights
9 coalition of about 200 national organizations that
10 really span the breadth of the civil and human rights
11 coalition today in the 21st century. Many of you
12 probably know my channel Mark Lloyd, who has worked
13 with many, many of you.

14 I'm here today because I have a
15 grassroots background. I am an organizer and am
16 helping to lead our public education campaign, to not
17 only educate people about the transition, but to
18 prepare them and provide that direct assistance.

19 Somebody mentioned it earlier today that
20 we've seen for some time that there is a large gap
21 between awareness and action, but we've done a really
22 good job working together to raise awareness levels

1 across impacted communities. Again, we come to this
2 because of the communities who will be most impacted
3 by this transition.

4 What we know is that people really need
5 assistance identifying what their three options are
6 and how to get that coupon and how to get that
7 converter box installed. So the Leadership
8 Conference on Civil Rights was very pleased to be
9 able to partner with NTIA, receive an award from
10 NTIA, right before the holidays. The timing of that
11 has been challenged. People have talked about the
12 timing issue certainly. This has been a very, very
13 fast get up and going campaign to get those boots on
14 the ground. We're very pleased to work with NTIA
15 and NAAAA and others in this work.

16 What I'm passing around is a little bit
17 of a description of some of the work that we are
18 doing in our seven cities. I just want to quickly
19 talk about the work we're doing in our seven cities,
20 what those primary elements are. I want to share
21 with you some of the on-the-ground perspectives, what
22 we're hearing from people who are impacted by this

1 transition, the questions they're having, the
2 concerns they're raising, the barriers they are
3 facing, and then from that a few recommendations.

4 So our campaign is in seven cities. We
5 really had to focus in, given the timing, given the
6 resources available, and figure out where there was
7 great need, where there were communities that we
8 could work with and that were impacted, and we were
9 able to get up and get going very quickly. That was
10 probably the primary thing, that we could get going
11 very quickly.

12 So we're in seven cities. You see that
13 little star. It's Atlanta, it's Detroit,
14 Minneapolis-St. Paul, Portland, San Antonio, the Bay
15 Area, and Seattle-Tacoma. In each of these cities we
16 have an on-the-ground coordinator, somebody who comes
17 from an organizing background, who has a coalition
18 approach, who is helping to work with the various
19 entities in that city who are stakeholders and
20 impacted population providers.

21 So they're working with the FCC
22 coordinators, they're working with the broadcasters

1 and public television stations, they're working with
2 city agencies and local leaders and service providers
3 and community-based organizations. They're working
4 with the affiliates and partners that are local on
5 the DTV transition coalition.

6 So those coordinators are really helping
7 us very quickly map out the various parts of a
8 campaign in that city so we can be as strategic as
9 possible in that collaboration. I'll talk about this
10 in just a second, but what we know is that there are
11 a lot of people out there doing a little bit of work,
12 and what we really very much need to do at that local
13 level is figure out how we pull it all together so
14 we're putting those puzzle pieces together in a way
15 that helps the people that that we really want to
16 make sure we're helping.

17 So we have coordinators. We have
18 assistance centers. In each city we have on average
19 two assistance centers. These are community-based
20 organizations who have expertise at reaching one or
21 more of the impacted populations. They're targeting
22 these populations with aggressive programming and

1 outreach and assistance. Some of them are really
2 very much drop-in centers, where people can come in
3 and ask their questions about the coupon program or
4 the converter box. Others are very focused on
5 providing training and teaching people how to install
6 the converter box, so they can go out and help people
7 where they are.

8 We also have partners on a whole range of
9 levels. That's how we're accomplishing breadth with
10 this campaign. These are the community-based
11 organizations who with a little bit of some modest
12 resources and support, some training, some materials,
13 and some financial support, can do a range of
14 activities, that scan that apply, buy, and try series
15 of activities. What can we do to broaden that table
16 of folks that are able to do that work at the local
17 level?

18 Then, very importantly, we're working
19 with ethnic media. We are pulling together ethnic
20 media who work in print, who work in radio, on line,
21 television, to make sure that we're hearing from them
22 what they can do to help reach the communities that

1 they reach so effectively and see what we can do to
2 help them in that endeavor. So we're really trying
3 to put together those pieces again to be as strategic
4 as possible.

5 Those are the various pieces. What I
6 have sent around is a list of those seven cities of
7 our local coordinators. So before I go further I
8 would just make an ask: that if you are in any of
9 these seven cities, if you have affiliates, members,
10 or networks in the seven cities and if any of your
11 people are doing work or if any of the people you
12 know would like to do work we would like to
13 coordinate with you. We'd like to know what it is
14 that you're doing, share with you what we are doing,
15 and see how we can put the pieces together.

16 I think that the call centers especially
17 are a really important way that we can share that
18 resource. We'd love to know what the cultural
19 competency, for example, is of those call centers,
20 how we can help shape that, and then also how we can
21 promote that and, if possible, be a local partner
22 when what you need is somebody who can go out and be

1 boots on the ground coming out of those calls. So I
2 think a lot of opportunity among those seven cities
3 for sure.

4 What we're hearing back, the local
5 perspectives. There are probably three, three
6 primary general, I guess I would say, areas of
7 feedback we're receiving. The first is that people
8 are very eager to work together. There are very
9 strong local networks that are developing and
10 communities are thirsty for this local help. It is
11 one thing to know that there's a national campaign
12 and a federal transition going on, but when somebody
13 knows that their church, that their school, that
14 their PTA or their local branch of NAACP is working
15 on this issue, it really becomes much more real to
16 them and is much more accessible. So people are
17 really thirsty to work together and to make that be
18 local.

19 Second, people are very pleased with the
20 potential delay. We are just trying to get our heads
21 around what this means for our work and how we can
22 adjust. But we know in those conversations people

1 are having with consumers that this is going to give
2 people more time to get prepared. We don't want to
3 lose that sense of urgency. I think I understand
4 this rolling transition is going to they're going to
5 maybe lose one station at a time, but they're going
6 to get it. But it gives us some time to take that
7 pressure off, that February 17th all or nothing
8 aspect to it.

9 People are very, very pleased that there
10 are fixes to the coupon program. The expired coupons
11 issue has been a very, very serious one for many in
12 our communities, so they're very pleased to see those
13 fixes.

14 Then third, this issue, as many of you
15 know, is being seen by community organizers and
16 community organizations as an issue of economic
17 justice and media justice, and they're really using
18 that in their work as a gateway to talk about other
19 issues that many of us care about, including
20 broadband deployment and full access to
21 communications issues.

22 People are very eager to work on this

1 issue. It is about helping their members, so it's a
2 membership service issue. But it's also a gateway to
3 issues about communications access issues. So there
4 are people out there who are eager and hungry to do
5 the work, but we really think that's the most
6 important reason to do it.

7 That said, there are a number of areas of
8 concern and barriers. The first is just in the
9 general area of confusion. I think you may have
10 heard it as well, but the questions and the confusion
11 is really ranging across the apply, buy, and try
12 types of questions and areas. But there's a lot of
13 confusion about the coupon program: Do I have to use
14 a coupon in order to get a converter box? Can I use
15 two coupons together?

16 We've been talking about that for quite
17 some time, but it just takes repetition. It just
18 takes people having somebody who they trust in their
19 community who they can ask those questions to.

20 There's a lot of confusion about
21 antennas: Do I need to use an antenna? Do I need to
22 get a bigger antenna? Will my antenna work? I heard

1 that my antenna won't even work. So what are things
2 people need to make a decision about that equipment?

3 There are some real urban myths out there
4 about things like who's eligible for coupons. So if
5 I don't have a land line, if I only use a cell phone,
6 can I get a coupon? Because when I go through the
7 prompts now at the NTIA number, I get a different
8 kind of response. So when we hear that, that's
9 helpful to us. We can ask NTIA and they can help
10 explain that to us, we can go back and we can explain
11 it in very accessible language, who is eligible, who
12 you do, what it means that you go to that prompt and
13 how to navigate it.

14 But really, helping to dispel some of the
15 urban myths it requires that you're on the ground
16 listening to people and that they're in a position to
17 share that information back.

18 There's also some urban myths out there
19 about, and concerns about, information policy, for a
20 lot of the reasons you would understand and expect.
21 With a federal coupon program, people just have a lot
22 of questions about what happens with all that data

1 that is collected. So again, a reason why it's
2 really important to work with trusted messengers in
3 these communities.

4 Maybe two other areas of barrier concern
5 we're hearing. There are a lot of people asking why.

6 Not just why, what does it mean that there's this
7 analog-digital spectrum shift and what's going to
8 happen with analog, but why is this happening, who is
9 benefiting from it, who's profiting on this, and why
10 is it costing me money? What is it costing me, the
11 individual consumer, money to make this transition?

12 So that's just a very big concern, and it
13 just requires that when you're having these
14 conversations and helping consumers work through
15 their options you just have to -- you have to work
16 with people who can listen to that for a few minutes,
17 then help them figure out what's the least expensive
18 of the options that they can choose going forward.

19 My boss, Ed Henderson, would say that in
20 these economic times that we're facing any money that
21 people have to spend out of pocket can be a real
22 burden, and if you're talking about, especially now

1 that we are currently with this coupon program, \$40,
2 that \$40 could be a good chunk of my grocery budget
3 for this week, and that's a decision that's very
4 tough for a lot of families who are on that border to
5 make, between groceries or health care and continued
6 access to television.

7 The other thing I would say that we're
8 really hearing is that there is overwhelming need.
9 There are people out there who are really very
10 thirsty for all this kind of support. We are finding
11 that as our organizations, our assistance centers --
12 we have 18 assistance centers now that are
13 established -- as they're out there announcing that
14 they're there to provide this work, this support, in
15 many cases the immediate need is overwhelming their
16 capacity almost immediately.

17 One example, we did a press conference in
18 Minneapolis two weeks ago. Immediately after that
19 press conference, within 24 hours they'd received 400
20 phone calls to this small nonprofit organization that
21 works on a range of issues and it has support to do
22 DTV assistance, but was not prepared to take 400

1 phone calls on one day.

2 So what we know is that some resources
3 can go a long way, but we really need to have a
4 better idea about who else is out there who can do
5 this and how we can do it in a less piecemeal
6 fashion, if I could say it that way. There are a lot
7 of phone numbers out there that people can go to for
8 different types of assistance, and that's important
9 because you can't have a cookie-cutter approach in
10 providing assistance to those people. Those in the
11 deaf and hard of hearing community really need
12 assistance that may come from certain service
13 providers within that community. Those who speak
14 languages other than English need that service
15 assistance provided in those languages by people who
16 maybe they've worked with on other issues and have a
17 relationship with.

18 So coming out I think our recommendations
19 would be, one, that there continue to be support and
20 resources to local partners, who are these trusted
21 messengers, who have these relationships and can do
22 it in ways, can provide assistance in ways that are

1 culturally specific and appropriate, not just to that
2 local community but also to those constituencies that
3 are really impacted.

4 Second, that there be really strong and
5 visible leadership and coordination at the federal
6 level. That's something that we're very hopeful
7 about what could be happening here in the next few
8 days as we identify what comes out of a potential
9 date change.

10 Then third, that we work together outside
11 the Beltway as well, and that's something that NAAAA
12 and we are committed to doing. But how can we take
13 this coordination and make sure it's happening
14 regionally, make sure it's happening locally? Having
15 a coordinator, somebody who can be there to help map
16 it out and figure out what the collaborations are,
17 has been incredibly helpful and one of the most
18 valuable things that we've really seen coming out of
19 this project. We want to make sure that LCCR and
20 NAAAA are working with the FCC awardees as well at
21 the local level. We're continuing to work with the
22 FCC coordinators and the broadcasters, all the

1 various players, so that we aren't duplicating
2 efforts and we aren't on each other toes, but are
3 putting it together in a way that again delivers the
4 best assistance to the most people in these
5 communities that we can.

6 So again, thank you for your time. Thank
7 you for listening to what it is that we're collecting
8 by way of feedback from folks on the ground, and we'd
9 really ask if you have networks and leaders in these
10 seven cities that you be in touch with our
11 coordinators and find ways we can work together.

12 CHAIRPERSON BERLYN: Excellent. Thank
13 you so much, Erica.

14 Teresa Lambert is working with NAAAA and
15 with a coalition of aging organizations. So thank
16 you so much, Teresa.

17 MS. LAMBERT: Thank you. I want to thank
18 you for the opportunity to come here today and sort
19 of break into your agenda and have an opportunity to
20 share with you a little bit about what we are doing.

21 We have a grant, as you know, \$2.7
22 million from NTIA, and while NAAAA is the primary

1 grant recipient, we are working with eight other
2 national aging associations. I want to talk a little
3 about who they are and what we're doing in a moment.

4 But our focus really has been and continues to be on
5 the vulnerable older persons who we know are going to
6 be very likely unable to be involved in getting a
7 coupon by themselves, installing it -- getting a box,
8 installing that converter box.

9 So our focus is really on these
10 vulnerable population groups of older persons, not
11 the healthy, robust, running 20 miles a day senior
12 who's really able to do this, but more the most
13 vulnerable populations.

14 We are really looking at education and
15 outreach that takes advantage of our particular niche
16 in society and our particular vehicles for
17 communicating with seniors, which go beyond the kinds
18 of more underground or local than what's been done by
19 FCC or NTIA, which has been remarkable, but trying to
20 reach these vulnerable population groups through some
21 of our own vehicles of communication, but, more
22 importantly, also looking at how can we really

1 provide them that one-to-one assistance that they're
2 going to need to make this transition successfully.

3 We started out by looking at our
4 locations, where we wanted to have grants on the
5 ground in the communities around the country.
6 Obviously, we started with the red zones NTIA had
7 identified for over-the-air broadcasting. But we
8 also added to that some of our own criteria that we
9 thought was terribly important. One is the areas
10 where we have high minority or non-English speaking
11 concentrations of older persons; rural and frontier
12 areas, because we know very well that those areas are
13 often somewhat neglected; our focus where we have a
14 particular niche that many others don't have, and
15 that is homebound, because we're in the homes of
16 seniors providing services to those who are
17 homebound.

18 So what are we doing and who are our
19 partners? Put very simply, we are mobilizing the
20 aging service delivery system to do this very
21 activity. The service system is comprised of various
22 levels. It's been around since 1965 with the passage

1 of the Older Americans Act. This service system
2 really has, as I say, various levels, and I will talk
3 about that, and there are partners involved with us,
4 national partners across these various levels of the
5 system.

6 There's the infrastructure level, there's
7 the service provider level, and then there is the
8 consumer level. I'll talk a little bit about each of
9 those so you understand what we're trying to
10 accomplish and how we're doing it.

11 In terms of infrastructure, there are two
12 primary kinds of organizations that serve in the
13 field as those foundational elements for the
14 infrastructure. One are state agencies on aging.
15 Those state agencies have as their representative as
16 our national partner the National Association of
17 State Units on Aging. These are state departments or
18 offices on aging around the country.

19 We work with them, not so much with the
20 agencies, the state departments on aging that have
21 area agencies who we represent, but rather for those
22 state agencies that do not, and there are nine state

1 agencies that do not have area agencies, which means
2 they operate both as a state agency and as a
3 community agency contracting for services. NASUA,
4 which is their representative, a member organization,
5 has given grants to three of those agencies -- South
6 Dakota, Nevada, and the District of Columbia -- and
7 they are mobilizing for statewide outreach and one-
8 to-one assistance. So there will be three states in
9 which we have statewide coverage.

10 The National Association of Area
11 Agencies, which is my organization, represents that
12 component of the infrastructure that is really on the
13 ground. These are either citywide or multi-county or
14 county-wide, most often multi-county, agencies that
15 are responsible for developing and funding services
16 for older persons. There are 650 area agencies
17 across the country, as well as 240 Native American
18 aging programs, which also are members and are
19 involved with us. We have thus far funded 70 area
20 agencies on aging and about 10 Native American aging
21 programs. So we are moving forward.

22 These are the infrastructure. Below or

1 moving down the scale or down the hierarchy, if you
2 will, the next level are the service providers. Most
3 of our folks contract with service providers to
4 assist older person for a couple of reasons. One, to
5 provide services and programs that help them remain
6 healthy, well, engaged in society, and for those what
7 are more frail, more vulnerable, to help keep them
8 out of unnecessary institutionalization, delaying or
9 avoiding institutionalization. So we are very much
10 into homes doing that kind of work.

11 The provider organizations include, at
12 the national level our partners are the National
13 Council on Aging, who represent a number of service
14 provider groups, but most specifically for this
15 purpose the senior centers around the country -- as
16 you all know, there are thousands of senior centers -
17 - the National Association of Nutrition and Aging
18 Service Programs, which is an association that
19 represents those meals programs that are conducted at
20 community locations. We call them "congregate
21 meals." That's our jargon there. They're
22 "congregate meals." And some of the home delivery

1 meals organizations. They have 11
2 grantees around the country that they have funded.

3 The Meals on Wheels Association of
4 America, which are the Meals on Wheels. I'm sure
5 everybody is familiar with that. They have 12
6 grantees around the country.

7 Then the three major organizations
8 representing minority elders: the National Caucus on
9 Black Aging, the Asociacion de Nacionales de Personas
10 Menores, and the National Asian Pacific Center on
11 Aging. Each of these organizations provides
12 services, have particular networks, have language
13 capabilities as necessary, and they are involved in
14 anywhere from five to seven communities with a high
15 proportion of minority elders that they work with.

16 Of course, at the consumer level we have
17 AARP is our partner. AARP did not request funding
18 under this, but, as you all know, we are very pleased
19 to have AARP not only for their ability to have that
20 broad reach to seniors, but also their ability to
21 help be able to work with us around the possibility
22 of having volunteers who can help us at the community

1 level.

2 So what is this system doing? I think
3 that the best way to describe it is to sort of give
4 you a profile of what it looks like nationally,
5 knowing that every community is a little bit
6 different. But generally what's going on, the real
7 infrastructure component are the area agencies and
8 those agencies are doing a couple of key things.
9 They are infusing within their service delivery
10 systems this message, this information.

11 The way that gets played out is that they
12 are actually involving within their various programs
13 the messages, the information, and the assistance
14 that seniors need to be able to make the digital
15 transition. Let me just give you a couple of
16 examples before I wrap up. Most of the agencies, for
17 example, are using their information assistance, and
18 there are some 2,000 of those around the country,
19 they're using those counseling and assistance
20 programs to query every caller who comes in to find
21 out if they are ready, and if they're not connect
22 them or link them with the right folks to get them

1 ready.

2 What does that mean? There are about 15
3 million calls nationally coming in on those lines
4 every year. It won't be that many certainly because
5 we're not in every location, but we are in a broad
6 range of locations. Using senior centers, for
7 example, one of their programs, to educate seniors
8 about how to assess their need for a converter box,
9 helping them apply, either online or through paper
10 applications; using the home delivery meals programs,
11 the case management home care programs for doing the
12 direct assistance with them on whether they need a
13 converter box, doing that through their laptop's
14 online applications, and actually providing
15 transportation to seniors who are not home-bound to
16 get their converter box, or working with retailers to
17 buy them in bulk and get those brought in to those
18 who are home-bound.

19 So we have a variety of ways in which we
20 are using that system to actually implement this.
21 But I think we're unique in that we have a system in
22 place that we can do that.

1 Taken together, we are currently funding
2 over 100 associations -- excuse me, agencies or
3 organizations at the local level through these
4 national organizations, and we are also very
5 involved, as Erica said, in trying to enhance our
6 networking, both for being more -- expending our
7 resources, but having greater impact.

8 Obviously, we are working with LCCR, but
9 we're also working with the FCC and NTIA in providing
10 them by county the resources and the grantees that we
11 will have in place. We're working on getting each
12 county that they cover so that we can have that
13 available for the FCC and NTIA use; hot lines, their
14 national numbers for referring seniors. We want to
15 work with the National Association of Broadcasters to
16 get better linkage at the community level between
17 their folks and our folks, especially around where
18 they can provide installation assistance and the
19 advice and training for our people, as well as those
20 with the FCC who can do the same thing.

21 We plan to be meeting soon, we hope, with
22 AARP around how to better coordinate with them on the

1 FCC-funded hotline and getting the referrals for
2 seniors who need specific assistance where we have
3 grants into our system. We plan to continue these
4 kinds of activities and networking over the next few
5 weeks to try to bring to bear all the resources in a
6 given community so that we can collaborate and
7 maximize our impact there.

8 I do want to say that I think that the
9 FCC and NTIA have done a fabulous job in creating
10 awareness and people understanding that they need to
11 take some action. I think the difficulty for seniors
12 has been if they don't have children in the community
13 or grandchildren or people who can help them, the
14 real difficulty is they didn't know where to turn for
15 help, they didn't know who to call. And normally
16 they wouldn't call an area agency on aging, which is
17 a service provider agency, for something wrong with
18 their television. So it's a new opportunity for them
19 -- for us to really network with some of the
20 broadcasters and others involved to try to get our
21 phone numbers out there, so that they know they can
22 call us and, using our networks to be able to help

1 those who need it.

2 So I want to say that I think this
3 project very much complements what's going on already
4 with the FCC and NTIA because we are very much on the
5 ground and can serve as a key resource for assisting
6 seniors in making this transition successfully.

7 Thank you for having us here and we
8 appreciate it.

9 CHAIRPERSON BERLYN: Thank you.

10 I think we're going to have to dispense
11 with questions, but appreciate the information.
12 Everybody, if you do need to find out more about
13 what's going on we can get contact information. I
14 know there's a handout that you have here. We've got
15 Erica's contact information and we can get --

16 MS. LAMBERT: I have some cards I can
17 leave.

18 CHAIRPERSON BERLYN: -- Teresa's as well.
19 Great.

20 Thank you both.

21 (Applause.)

22 CHAIRPERSON BERLYN: If everyone --

1 MS. TRISTANI: Could I make a request to
2 the FCC or someone here?

3 CHAIRPERSON BERLYN: Yes.

4 MS. TRISTANI: I don't know who's here
5 from the FCC.

6 CHAIRPERSON BERLYN: Do you want to get
7 on the mike there, please, and raise your hand.
8 Raise your hand.

9 MS. TRISTANI: Yes. I think it's
10 terrific, the outreach that's being done. But a big
11 concern is cities that aren't getting that kind of
12 outreach. About a week ago Nielsen came up with a
13 study of the most unprepared markets for the DTV
14 transition. I think except for one none of the
15 markets that you are covering is on that list. I
16 think it would be very helpful if someone from the
17 FCC could get us that data from Nielsen so we can
18 discuss it later on.

19 By the way, the impact is
20 disproportionately affecting Hispanic and African
21 American households. That's something I'd like to
22 discuss later.

1 CHAIRPERSON BERLYN: Okay, very good.

2 Now, if everybody could just run up and
3 get a sandwich and come back to the table, we're
4 going to have our Office of Engineering and
5 Technology presentation. We're going to do that over
6 our sandwiches, and then we're going to go right into
7 our working group. Thank you.

8 (Recess from 12:16 p.m. to 12:32 p.m.)

9 CHAIRPERSON BERLYN: All right. Now
10 we're going to get answers to all of our technical
11 questions. We have our technical experts with us in
12 the room. We have Alan Stillwell and Julius Knapp,
13 Chief and Deputy Bureau Chief -- we're in great shape
14 here -- of the Office of Engineering and Technology.

15 Shirley had a question about if we have
16 the delay would the leaves on the tree be a problem
17 and whether or not they'd have to wait, some of the
18 folks, the public safety folks, would have to wait a
19 year because of the leaves on the trees. We have an
20 answer and that's that Congress would take immediate
21 action to actually delay spring.

22 (Laughter.)

1 CHAIRPERSON BERLYN: Thank you, Ken.

2 VOICE: It would be blocked by the GOP.

3 CHAIRPERSON BERLYN: Yes, that's right.

4 It would be immediately blocked by the GOP, and
5 actually I would support that action to block that.
6 We need spring to be accelerated.

7 So anyway, thank you both for being here.

8 If you could actually answer that leaves question
9 because Shirley is still here in the room, but she
10 has to leave shortly, and she would like to know what
11 that answer is.

12 OVER-THE-AIR RECEPTION ISSUES: HOW TO HELP CONSUMERS

13 MR. KNAPP: I would only answer generally
14 because I don't know the specifics of it. But things
15 like leaves on trees can actually either absorb or
16 shade radio signals or create what's called
17 reflections in the radio signals. Usually what you
18 try to do is test your system at all points in the
19 year. Most often people are more concerned about
20 testing with the leaves than without the leaves. But
21 we want to be sure that these systems work year-
22 around. So I suspect that's what the concern is,

1 that they get to be able to test these systems under
2 all sets of conditions.

3 CHAIRPERSON BERLYN: Okay, great. Well,
4 thank you.

5 You know, what we really are interested
6 in knowing, because there are so many issues that
7 come up related to the transition that are technical
8 questions that consumers have -- we know there are
9 antenna questions, there's the sort of digital drop
10 question. From our perspective, I think I hope that
11 most of us in the room are looking at it from sort of
12 the consumer in the home. What are they going to
13 experience? What kind of questions might they have?

14 So I think what we'd like to know is from
15 that consumer perspective what can you tell us might
16 be some of the issues that they might experience.
17 I'll start with that and then if we could open it up
18 to what other questions folks might have.

19 MR. KNAPP: It is a real challenge
20 because this transition from a technical standpoint
21 is very complex. So I'll try to make some very broad
22 general remarks that hopefully are helpful for

1 people. I would tell you that in most cases people
2 should be just fine in receiving the over-the-air TV
3 signals. If you're not seeing anything at all, I
4 would venture to say that the odds are greater that
5 the box is just not hooked up right.

6 Particularly the first thing to look for
7 is are you seeing the menu on the screen. That'll
8 tell you at least I've got the box hooked up right
9 and then to the antenna. More often, the concern are
10 things about, I've lost some stations. In other
11 words, the so-called "lost signal" issue. That's a
12 little difficult because we haven't completed the
13 transition.

14 We've got stations that are operating
15 their digital signal on a high UHF channel, where the
16 coverage is a bit different, and they're going to
17 move that down to their VHF channel as of the
18 transition. So somebody who may be working at this
19 right now and say, gee, I don't see that channel,
20 after the transition may very well see the channel.

21 To keep it simple, on the antenna side
22 one of the things we've been trying to advise people

1 is try what you have first, because in many cases it
2 will work, if not most cases, perfectly well; to not
3 rush out and buy a new antenna and incur that expense
4 without trying what you have.

5 Secondly, most of the stations are moving
6 to new UHF channels, and for consumers if they had
7 not hooked up their UHF antenna, either the one that
8 looks like a little bow tie or the little wire loop
9 antenna, they didn't have a UHF antenna, and so
10 without a UHF antenna you're not going to see the
11 channels.

12 Then lastly, if you have been watching
13 stations, particularly UHF, with a lot of snow on
14 them, you are at least approaching what's called the
15 digital cliff. The digital cliff is effectively with
16 the digital signals if you've got enough signal
17 strength up to a particular point it will look
18 terrific; if it gets too weak, as opposed to analog
19 where it just got snowier and snowier -- and some
20 people were willing to watch those -- it just goes
21 over the edge.

22 Those antennas are -- some people have

1 described the digital signals as being a bit finicky
2 and to some extent they are. So we try to encourage
3 people to move your antenna around a little bit. I
4 can talk about my personal experience. I got an
5 antenna and I set it up and I only had 11 channels.
6 I said, gee, something doesn't seem right. I just
7 happened to lay this (indicating) on the floor in a
8 position that you would not have expected to have
9 been very good. Suddenly I had 25 channels.

10 So just moving your antenna a little bit
11 can make a big difference. Yes, you have to do the
12 rescan. Yes, it takes a little bit of time sometimes
13 to redo the scan. But I think we would encourage
14 folks first, try what they have. Make sure you've
15 got the UHF antenna, move it around a little bit
16 first.

17 Then let's say you've done all those
18 things and you're still missing a channel or two.
19 One of the things that we did, we published maps this
20 past December, that are all accessible on our web
21 site by market. In the handout that we passed
22 around, the one thing that I'm going to touch on,

1 because I gave you copies of things most of you
2 probably saw before, publications we put out on what
3 to do for setting up your converter box, what to do
4 about your antenna and so forth. But on these last
5 few pages we had some samples of the maps that were
6 published.

7 I will tell you some caveats. Yes, they
8 are technical. What the maps try to show on those
9 last three and four pages, there's a dotted line
10 that's the analog coverage and then there is a solid
11 line that is the digital coverage. At the tops of
12 the pages it shows what the analog channel was and
13 what the digital channel was.

14 So I've turned for example here to
15 Orlando, Florida, WMFE-TV. It's about five or six
16 pages from the back. So what this is showing is a
17 case where the digital conversation coverage is
18 actually much greater than what the analog coverage
19 is, and those folks -- we should have more consumers
20 able to get their channels than were before.

21 A few caveats about these charts and just
22 the way nature works. Any of these propagation

1 charts are statistical. So what they're showing is
2 that at the point 50 percent of all households are
3 going to get that signal 90 percent of the time.
4 That's the same sorts of techniques that were used
5 for analog as well. It's statistical just because of
6 the variations in the hills.

7 And none of these take into account
8 buildings. So if I am at this point and I've got a
9 skyscraper in front of me, well, that skyscraper is
10 going to block the signal to some extent, and just
11 because I show a point on the map that says I'm going
12 to get the signal it does not necessarily mean that
13 it's going to be there.

14 So these lines that we show are not solid
15 lines. They're not the digital cliff. They're
16 trying to show in general here are the areas where
17 signals may look better, here are the areas where
18 signals map get a little poorer.

19 Let me see if we just flip to the next
20 page. We've got WACX. This is a case where the
21 antenna tower moved. You can see the analog coverage
22 was what I'll describe as north here and the digital

1 coverage, even though it has expanded, some of the
2 folks on the north side won't have -- won't be in
3 that service area.

4 The Commission was trying to take some
5 actions such as allowing for translators to be
6 deployed, and some of this may get better over time.
7 But I would venture that -- and Cathy talked about
8 this a bit before -- that the folks up here who are
9 in this orange or red area (indicating), telling them
10 to buy a new antenna is not necessarily going to pull
11 in that station.

12 I want to draw a distinction here between
13 this is station-specific as opposed to saying these
14 folks aren't going to get digital TV, because they
15 will. But this relocation -- and we've got a number
16 that may have occurred just because the original
17 tower couldn't handle the transition or they've
18 reshaped their service area to better match the
19 market and so forth.

20 I'll flip to one more (indicating). Alan
21 just pointed out on that last chart that many more
22 people on the southern end are going to get that

1 signal than did before.

2 MR. STILLWELL: Where the green is,
3 that's new viewers that'll get service that didn't
4 get service before.

5 MR. KNAPP: So this next one is KTXT-TV,
6 and a couple of things happened here. You can see
7 the dotted line for the analog service area is
8 greater than the digital. Some of the stations as of
9 the transition date have not yet been able to fully
10 maximize their facilities. Part of that is because
11 just having enough folks who can move the antenna
12 from the side to the top couldn't all be accomplished
13 within the time period.

14 So this is going to continue to improve
15 over time. So some of these folks here who may not -
16 - who may lose that signal initially will pick it up
17 as the station maximizes.

18 So as we've looked at this overall, in
19 most cases people are going to get the channels that
20 they had before, but there may be one or two spots
21 that they didn't.

22 So we published all these maps. They're

1 available on the web site. We've got the linkage
2 here. But we understand expecting consumers to get
3 on line and trying to figure out is very daunting.
4 So one of the things that we're doing is examining
5 how can we distill this information in a simple form,
6 first of all, to get it out to the people in the call
7 centers and so forth, so that when somebody calls in
8 and says, I'm missing channel such-and-such, they get
9 an answer that is consistent with what's going on in
10 that market, so that we don't tell people to go buy a
11 new antenna when we don't think it's going to solve
12 the problem anyway.

13 We're also looking -- I think you may
14 have heard earlier this morning -- about whether
15 there's something we can put out that shows the
16 signal strengths of the different stations. Again,
17 usually I don't put together consumers and signal
18 strengths just because -- again, we're not looking
19 for consumers to be engineers, but how can we convey
20 the information to consumers in a way that they can
21 understand what's going to happen in their areas. So
22 we're working on that.

1 MS. PELTZ STRAUSS: Could I interrupt?

2 CHAIRPERSON BERLYN: Yes, we can make
3 this informal.

4 MS. PELTZ STRAUSS: My question is, you
5 mentioned that one of the reasons that they might
6 have changed is they determined that for market
7 reasons it was better to shift. Was there any
8 accountability in making those decisions? I guess
9 I'm worried. I would think there's going to be a lot
10 of disgruntled consumers out there that are losing
11 stations. So is there anybody looking at, anybody
12 reviewing these decisions to shift the locations?
13 That's the first half of my question.

14 The second half is, if there was, or even
15 if there wasn't, was there any consideration given to
16 whether or not those people would be covered by other
17 circles? So for example, if their local NBC
18 affiliate was moving, maybe they would just simply be
19 covered by the next town over NBC affiliate.

20 MR. KNAPP: First of all, to answer the
21 first part of the question here, Commission policies
22 permitted these kinds of moves. You're absolutely

1 right, even if there's a net gain and many more
2 consumers are getting that signal than before, you
3 still need to be concerned about the ones who lose
4 it.

5 I think we have been trying to focus on
6 that more recently, and what can we do to at least
7 facilitate those broadcasters in re-covering those
8 areas. That's what the translators are about and so
9 forth. Some of that obviously cannot all happen if
10 the date were to hold, or necessarily even by June.
11 But it can continue to improve.

12 MS. PELTZ STRAUSS: So the FCC is on
13 this, in other words?

14 MR. KNAPP: Yes.

15 MR. STILLWELL: I can maybe add a little
16 more on that. The fact is that television stations
17 have always over time modified their service areas
18 for all kinds of reasons. In most cases they like to
19 increase their service area whenever they can. But
20 sometimes there's reasons to change their coverage
21 and the usually has to do with changes in market.

22 The designated market area, which is a

1 Nielsen measure or a Nielsen descriptor -- and it
2 looks like you're familiar with that -- they change.
3 Program rights are generally sold on a DMA basis, so
4 if your signal covers a new DMA designation that
5 really isn't part of your old DMA then the program
6 rights owners are going to want more money for that
7 programming to cover the portion that's out of your
8 DMA where people generally are watching you on cable,
9 because that defines those rights.

10 So stations are very sensitive to those
11 kinds of things and if it looks like in the long term
12 they're not going to be covering that DMA then
13 they'll look to do something different to cover the
14 people that they're getting paid for.

15 MR. KNAPP: The second part of your
16 question, I'm sorry, I forgot it for a moment.
17 You're absolutely right. In many of these cases
18 there's another network affiliate that's covering
19 that market. We know that consumers, however,
20 they've got favorite stations and that may not always
21 be a satisfactory answer. We're trying to zero in on
22 the spots where there is no other network station and

1 how do we make sure that that gets in there.

2 MS. PELTZ STRAUSS: Okay, thanks.

3 CHAIRPERSON BERLYN: Can you take some
4 more questions?

5 MR. KNAPP: Sure.

6 CHAIRPERSON BERLYN: Nixy, okay. Then
7 Brandon.

8 MS. SANTINI: Presenting consumers with
9 coverage footprint maps, it's kind of -- it's not
10 that helpful. I'm an engineer, I understand coverage
11 and I understand that, but not everyone understands
12 that. Is there a way that the FCC, you guys who are
13 the experts on coverage, can identify beforehand --
14 you know where the signal is going to be and where
15 it's going to be a little bad -- and identify those
16 spots beforehand, start working with broadcasters so
17 that these people who are going to be basically out
18 of signal when they used to have a signal and
19 dependent on over-the-air transmission, where they
20 can be helped right away?

21 If we're talking about a delay on the
22 transition, that's time that we can use so that we

1 can basically minimize the impact on those consumers.
2 In Puerto Rico we have so many consumers receive
3 over-the-air transmission. They don't have the
4 facility of using cable TV because cable TV is not
5 there, and they are out there in the mountains,
6 hanging from the mountains.

7 I don't think Puerto Rico has that
8 exclusive characteristic. I know that in many places
9 in the United States you have people in the mountains
10 and they used to receive some analog signal and they
11 benefited from that. Part of this transition, the
12 whole thing is related to public safety: How can we
13 provide public safety information to those consumers
14 that receive over-the-air transmission if they are no
15 longer going to be receiving it even though they have
16 the best antenna and the best converter box?

17 So is there any way locally in the
18 different regions that the FCC can start producing
19 something to assess that issue?

20 MR. KNAPP: Let me try to break it down
21 because I think we're in exactly the same place. The
22 maps do show the areas, but how you translate that

1 into information that's useful to consumers -- and
2 absolutely, we want to identify the spots where maybe
3 we can do something about it.

4 MS. SANTINI: Well, for me as a consumer,
5 let's say I call the center and say: I have no
6 signal. Oh, yes, you're located in a place where
7 you're not going to have a signal. Thank you.
8 That's not very useful for me.

9 MR. KNAPP: Right. I would break down,
10 as opposed to a single station, because we're not
11 talking about somebody who will get no TV service
12 because everybody should be getting --

13 MS. SANTINI: Something.

14 MR. KNAPP: -- some signal. But it may
15 be an individual channel that they had before and
16 it's either now from a different network affiliate --
17 and again, the ones we would be concerned about that
18 they lost that network affiliate altogether.

19 So you're absolutely right that we need
20 to as we're going through this be focused on those
21 spots and what we can do about it in advance, and
22 we're working on it.

1 MS. TRISTANI: I didn't want to -- good
2 to see you.

3 MR. KNAPP: Good to see you, too.

4 MS. TRISTANI: I didn't want to get into
5 this, but I think the Commissioner was getting to
6 also, I think we have an FCC that will be more
7 proactive. It's already being more proactive, an FCC
8 that will look to work with broadcasters in saying,
9 can we -- what can we do to make this better, and not
10 just say, okay, we'll just accept that the signal
11 can't get there. But there are places where it can
12 be fixed. There can be signal translators, what have
13 you. So I think that's what we're looking for.

14 MR. KNAPP: Absolutely.

15 MS. TRISTANI: I just wanted to make sure
16 we're all on the same page.

17 MR. KNAPP: The Commission took some
18 steps in that area in late December when it allowed
19 stations to compete or to apply noncompetitively for
20 translators to serve areas within their old analog
21 service area. So it gives them the opportunity to
22 try and fill in.

1 I think it's well, the working together
2 with the broadcasters, because in some cases -- these
3 are maps and we're already talking to the folks who
4 are out in the field about, well, are you actually
5 seeing these things, because sometimes you'll see
6 something on a map and people will tell you, no,
7 that's not really happening, I'm getting the signal
8 just fine. And we want to know as well about the
9 ones where we think the signal should be there and
10 they're not getting it, and try to figure out why
11 that's happening, and work with the broadcasters on
12 what can we do to remedy some of these things.

13 MS. TRISTANI: Can I just make one point,
14 and maybe I am wrong because I am not an engineer.
15 But this is not only a mountains problem. This is
16 going to happen in New York City.

17 MR. KNAPP: Right.

18 MS. TRISTANI: You'll have digital cliffs
19 in New York City, although maybe less overall. So I
20 just wanted to make sure that everybody knew it's not
21 just in rural. The buildings, as we said, get in the
22 way.

1 CHAIRPERSON BERLYN: Can I also say that
2 this might be an issue that we want to discuss in the
3 working group and make it a recommendation of our
4 committee to take action.

5 Brandon.

6 MR. STEPHENS: A couple of different
7 concerns I have for our region. One, we've already
8 addressed the issues of rural areas and Commissioner
9 Santini has made excellent points on not receiving
10 broadcasts or accessibility. I have a concern too
11 with the fact that the translators are neglected in
12 this, because that's how we receive our television
13 transmissions in the mountains of western North
14 Carolina and across many of the reservations in
15 Indian country.

16 Number one, I wanted to talk about the
17 addressing of that, because just the primary signal
18 that they put out, that's what they're addressing for
19 television transmissions. And this television
20 transmission is going to be a little bit weaker in
21 most cases compared to what they would normally put
22 out on analog. We're going to be in the dark in

1 western North Carolina in some cases.

2 MR. STILLWELL: We're not requiring the
3 analog transmitters to turn off on February 17th.
4 You know that, right?

5 MR. STEPHENS: No, I wasn't aware of
6 that. The television stations just told me that,
7 that's it, we're not taking care of that. So that
8 message comes to me saying there's no television.

9 MR. STILLWELL: I think one thing that
10 has to happen, though, is that the translator owner,
11 the station, has to buy the converter that converts
12 the digital signal into a signal that the analog
13 transmitter can retransmit. So you need some sort of
14 a converter box there.

15 MR. STEPHENS: So in the rural areas are
16 we going to start watching analog translator
17 television, is that what you're saying? Am I hearing
18 you right?

19 MR. KNAPP: Let me take a step back for a
20 minute to get to your first question. I've heard
21 indirectly in a couple of cases where the translator
22 didn't have enough signal from the digital to convert

1 it for the analog transmission. I think we'd like to
2 hear about those cases and see what can be done,
3 because they shouldn't go dark even if we don't have
4 a mandatory requirement.

5 Alan is correct, the translators are not
6 required to switch to digital at the same time, as
7 you know. Some of them are and some of them aren't
8 ready, and some of it's a funding issue and there are
9 things being worked on to do that. So there will be
10 still some analog translators out there for a period
11 of time. I expect that over time more and more of
12 them will be going to digital.

13 MR. STEPHENS: I have a concern there
14 that in my region I tell them, buy, buy, buy the
15 converter box, and then when they flip it on they
16 can't get television and they say, well, this thing
17 doesn't work, but the analog signal still works off
18 your translator in that area. So what kind of
19 message do I put out?

20 MR. KNAPP: You can get, as you know, a
21 pass-through box that can still receive the analog
22 signals and pass those through, as well as the

1 digital.

2 MR. STILLWELL: Yes, it's real important.

3 MR. STEPHENS: The next question I have
4 or the next concern that I have too is that in the
5 case of conversion, if I'm unable to pick up the
6 regular television signal that I normally picked up,
7 but say in the conversion that I'm able to pick up
8 the neighboring channel. That's a concern to me
9 because as a broadcaster I know that when I was in
10 radio we only put out the signal that we thought the
11 audience would be interested in covering.

12 So really whenever I see an EAS alert and
13 it doesn't cover my area, I'm not putting out that
14 storm information or not putting out any other kind
15 of information. But if I'm picking up another
16 television station that doesn't cover my area, I may
17 not get emergency information. That's concerning to
18 me.

19 MR. STILLWELL: I think that is a
20 concern.

21 MR. STEPHENS: I mean, I don't know how -
22 - if there's a policy.

1 MR. STILLWELL: As a broadcaster, not
2 picking up the --

3 MR. STEPHENS: Because what we're down to
4 is it's great that I'll be able to see NBC, CBS, ABC,
5 get the entertainment, but regardless of whether it's
6 captioned or if it covers the area or what-not, the
7 information is important.

8 MR. STILLWELL: It's like the Gatlinburg
9 station you're watching, but now you have to watch it
10 from Ashville and the Gatlinburg station broadcasts
11 an emergency message for the people in its area, but
12 the Ashville station doesn't provide that and then
13 the people over there don't see it. Some of that has
14 happened in the transitions.

15 MR. KNAPP: They're required to cover
16 effectively the DMA, the market. But in the past
17 there were some stations that extended out beyond
18 their home market and people might have affiliated
19 themselves with that market, but they still would be
20 -- should be receiving the station that's close to
21 them.

22 MR. STEPHENS: I understand. But you

1 see, there exists that potential. And I know this
2 might be an issue that you guys can't address or it's
3 going to go down into some other works. But I'm
4 concerned that one of the issues here that we're
5 dealing with is information, public safety, that sort
6 of thing. But I'm concerned now if what I'm hearing
7 is that I may or may not be getting the primary
8 station, but as long as I get that -- I need to be
9 sure that the information I'm getting, if there's a
10 flood, if there's a thunderstorm, if there is a
11 snowstorm or a terrorist attack -- that information
12 may not be local to me.

13 MR. KNAPP: It still should be coming
14 through on the channels that you're watching.

15 MR. STEPHENS: Or at least I'm saying
16 let's be concerned with the policy of how that needs
17 to happen.

18 MR. STILLWELL: I think maybe at the
19 grassroots level, if let's say a station's providing
20 -- people are taking coverage from a station they
21 didn't really watch before, maybe that station ought
22 to be aware that those new people are watching and so

1 that it makes sure that it transmits emergency
2 information for those people. You can kind of work
3 on that at the grassroots level to make sure they
4 understand the new dynamics of their market, at least
5 until this interim when everything settles down.

6 We're dealing with a lot of those
7 transitional questions here.

8 MR. STEPHENS: I don't mean to give you a
9 hard time, but it is a concern.

10 MR. STILLWELL: It is. It is a concern.

11 CHAIRPERSON BERLYN: Thank you.

12 Lousy, you had your card up before. Do
13 you still have a question? And then John has a
14 question.

15 MS. HAMLIN: I'm not a technical person,
16 but what we have been hearing from people already
17 having digital TV is that there are already terrific
18 problems with captioning, pass-through captioning,
19 analog captions, the old 608 as opposed to 708. My
20 question I guess will have to be general because I
21 wish I could be technical. But let me ask just
22 basically, to what extent are you working with the

1 broadcasters to make sure the equipment they have
2 will get the kind of captions -- again, it's an
3 emergency issue for me personally. I'm worried that
4 people who need captioning won't see the captions
5 that they need in an emergency situation.

6 MR. KNAPP: A couple of things. I didn't
7 look on the agenda. Have you got closed captioning
8 later on the agenda?

9 MS. HAMLIN: No.

10 MS. PELTZ STRAUSS: It's been mentioned
11 the whole day.

12 MR. KNAPP: Okay. But I believe that
13 Chairman Copps made in his remarks a commitment to
14 the agency to try to address the closed captioning
15 issues. So I expect that we will be working together
16 with all of the principals, not just the over the
17 air.

18 I will tell you, as we've talked before,
19 the converter boxes have all been checked to make
20 sure. It does get complicated because you can either
21 switch it on in the box or you can switch it on in
22 the television and I wish it could be made simpler,

1 but I don't know how. So absolutely the Commission
2 is concerned about this. I think we're dedicated to
3 addressing those issues.

4 MR. STILLWELL: We have requirements that
5 the 608 captions, which are basically the down-
6 converted 708 captions, are provided on the digital
7 signals. But a lot of times there are problems with
8 the captioning that comes in from the program
9 material and how well it translates over. There are
10 people working on that. Our Disabilities Rights
11 Office is working on that with the folks, and
12 probably you folks too.

13 MS. PELTZ STRAUSS: Actually not.

14 MR. STILLWELL: They're not?

15 MS. PELTZ STRAUSS: No.

16 MR. STILLWELL: They call me regularly,
17 seriously.

18 MS. PELTZ STRAUSS: I mean, no one's
19 worked on it. It's very clear that --

20 MR. STILLWELL: Actually, I answered
21 questions from you, Karen.

22 MS. PELTZ STRAUSS: We've been

1 complaining about it non-stop. But it sounds to me
2 like nothing has really been done yet, which will --
3 we're moving forward, we're not looking back. But I
4 just did want to clarify there's a lot of work ahead.

5 MR. KNAPP: I do agree there's a lot of
6 work ahead, as we work with a lot of the program
7 people, who aren't necessarily focused on the end
8 product where their stuff goes.

9 MR. STILLWELL: We have a lot to learn.

10 MR. KNAPP: We do have a lot to learn.

11 CHAIRPERSON BERLYN: John.

12 MR. COLE: Thank you.

13 I am interested to know if there's any
14 particular technical lessons learned from the Hawaii
15 transition? Most of the feedback I heard about was
16 about coverage and technical type issues rather than
17 consumer education and being aware that you needed a
18 converter box or anything like that. I know you said
19 you expect most people to maybe lose a station or
20 two, but I've heard of some who get no signals now
21 and they had several analog stations before.

22 MR. KNAPP: I think we're still

1 collecting Hawaii data and we'll have a look at that,
2 just like I think the big thing that popped out of
3 Wilmington was this issue of the change in the
4 service area and the impact of that. But the fact
5 that we had Wilmington gave us a heads up so that
6 going into Hawaii by the time we got there we had
7 done maps. And aside from kind of the variations
8 that happened with the model, actually from what I've
9 heard back we kind of saw what we expected in terms
10 of the coverage and the reception.

11 Hawaii is particularly challenging just
12 because of the terrain. We have spots where people
13 say, well, I can't get a digital signal there, but
14 they never got the analog either.

15 MR. STILLWELL: Some of those stations
16 did change their coverage because they moved from
17 10,000 feet down to 4,000 feet because of those
18 environmental concerns. So there were just changes
19 there.

20 MR. COLE: So, seeing pretty much what
21 you expected, is there plans for the total transition
22 to try to help the broadcasters make adjustments

1 prior to the transition?

2 MR. KNAPP: I think, yes, in the broader
3 context we talked about before, taking this
4 information from the maps and looking at the changes
5 in the service area, what can we do? Is there
6 anything we can do beforehand to make sure those
7 areas are filled in, if that's possible, or at least
8 know what the expectations are.

9 CHAIRPERSON BERLYN: Okay. I think we've
10 exhausted the questions. You know, we may want to,
11 if you don't mind, call on you in between this
12 meeting and our next meeting if we have further
13 questions --

14 MR. KNAPP: Absolutely.

15 CHAIRPERSON BERLYN: -- because this is
16 very helpful, very, very helpful.

17 MR. KNAPP: It's just the questions
18 about, can you come out to my house and fix my set.

19 (Laughter.)

20 MR. KNAPP: Those are the ones I worry
21 about.

22 CHAIRPERSON BERLYN: Can you give us your

1 home number?

2 (Laughter.)

3 MR. KNAPP: Thank you all. We appreciate
4 it.

5 CHAIRPERSON BERLYN: Thank you. We
6 appreciate it.

7 MR. STILLWELL: Just last night my mother
8 -- and she has cable -- said: Alan, you need to help
9 me with this; what have I got to do for the
10 transition? I said: Mom.

11 CHAIRPERSON BERLYN: Thank you. That's
12 great.

13 (Applause.)

14 CHAIRPERSON BERLYN: Thomas Wyatt just
15 handed me -- this is fantastic. the Nielsen data,
16 the February 2009 update on digital readiness in U.S.
17 households, this is fantastic. So I'm going to pass
18 this around.

19 Everybody sit tight. We're a little
20 behind here, but we are going to move right into our
21 working group meeting. If there is anyone who does
22 not want to participate in the working group

1 discussion, you don't need to. This is a working
2 group, not a meeting of the whole. Right, Scott?

3 MR. MARSHALL: Correct.

4 CHAIRPERSON BERLYN: Okay. So if we do
5 have any recommendations from this working group, we
6 will not take them up right now. We will take them
7 up when we reconvene the meeting of the whole CAC.

8 (Whereupon, at 12:20 p.m., the CAC
9 meeting was recessed and the DTV Working Group met.
10 CAC reconvened at 2:03 p.m.)

11 CHAIRPERSON BERLYN: At this time the CAC
12 will reconvene as a whole and our transcript
13 continues, broadcast continues again.

14 Ann Bobeck and I are working on the first
15 recommendation. Let's see. I think Charles and
16 another are going to work on the second one.

17 MS. PELTZ STRAUSS: We already did some
18 of them. I'm not sure what you have, but I have a
19 whole list of them. I did them.

20 CHAIRPERSON BERLYN: You did 3.

21 MS. PELTZ STRAUSS: I did 3.

22 MR. COLE: I did 4.

1 CHAIRPERSON BERLYN: Can we just go in
2 the corner here? Charles, if you want to join us, if
3 we can just go in the corner.

4 Let's take a ten-minute break. Excellent
5 idea.

6 (Recess from 2:05 p.m. to 2:29 p.m.)

7 CHAIRPERSON BERLYN: Public safety has
8 been an issue that we have talked about as it relates
9 to the digital television transition and several of
10 you have asked to have this discussion at our CAC
11 meeting. We do indeed have, you'll see on your
12 agenda, the "Associate Bureau Chief." However, lo
13 and behold, we have actually the Bureau Chief,
14 correct? Congratulations are in order that you were
15 just named Bureau Chief?

16 DTV TRANSITION AND PUBLIC SAFETY ISSUES

17 MR. FURTH: I was in fact named Bureau
18 Chief. It becomes effective, I believe, at 5:00
19 o'clock today.

20 CHAIRPERSON BERLYN: Ah. Well,
21 congratulations. We'll be the first to offer our
22 congratulations to you. Thank you so much for coming

1 in. This will serve as an introductory on the topic
2 and we promise to invite you back. I won't promise,
3 but I will hope next time we won't keep you waiting
4 like we did this time.

5 I thank you, David, for joining us.

6 MR. FURTH: Thank you very much. I'm
7 delighted to be here. Before I begin, I'd also like
8 to introduce on my left Jeff Cohen, who is Special
9 Counsel to the Public Safety and Homeland Security
10 Bureau. Jeff is really one of our leading experts on
11 700 megahertz and some of the issues that we'll be
12 talking about today.

13 Now, as I understand it the question that
14 folks here were interested in our addressing in
15 relationship to the DTV transition is the potential
16 impact on public safety operations in the 700-
17 megahertz band, and in particular the impact if the
18 legislation that's currently pending to move the
19 deadline from February 17th to June. If that
20 legislation were passed, what will the potential
21 impact be on public safety operations in the 700-
22 megahertz band?

1 So I want to give you a little bit of
2 perspective on how public safety in that band is
3 currently constituted, how the DTV transition,
4 regardless of when it occurs, would affect operations
5 of public safety licensees in the band and the
6 potential impact if there is to be an extension of
7 the deadline until June.

8 We'll just talk for a few minutes and
9 then Jeff and I are both happy to take any questions
10 that you might have. We really welcome the
11 opportunity to be here. I hope this is certainly the
12 first time that I've appeared before the CAC in this
13 capacity. I hope and expect that it will not be the
14 last. I look forward to an ongoing dialogue on this
15 and many other issues, because public safety is --
16 it's a public security issue, but it is consumer
17 issue, because ultimately it's consumers that benefit
18 from our ensuring that public safety networks operate
19 so that they can reach help when they need it and so
20 that first responders can get that help to them as
21 quickly as possible.

22 So let me talk a little bit about public

1 safety in the 700-megahertz band. There is a 24-
2 megahertz block of spectrum in the 700-megahertz band
3 that's been allocated to public safety. For purposes
4 of DTV, the simplest way to explain it is that it
5 corresponds to two sets of television channels, which
6 are Channels 63 and 64 and 68 and 69 on your TV dial.

7 Within that 24-megahertz block, the
8 Commission has actually divided it into two segments,
9 one of which is allocated for broadband operations
10 and one of which is allocated for narrowband
11 operations. I'll talk a little bit about each one.

12 The practical significance of the digital
13 television transition is that until it occurs public
14 safety licensees cannot operate in those areas where
15 there is a Channel 63 or 64 or 68 or 69 incumbent,
16 both because they could receive interference, but
17 more importantly because until the transition occurs
18 they are required to protect those incumbents from
19 interference. Therefore, in those areas of the
20 country where we have incumbents on those channels --
21 and that's not in all areas of the country; there are
22 only certain ones -- public safety entities that want

1 to operate on the 700-megahertz band will have to
2 wait until the transition occurs and those
3 broadcasters move out of their portion of the
4 spectrum, at which point they can commence
5 operations, though it is important to emphasize there
6 are many parts of the country where there are no
7 incumbents on those channels and therefore public
8 safety on the narrowband side has the ability and in
9 fact many public safety entities already are
10 operating on the 700-megahertz band, and the DTV
11 transition will not have any impact on those systems
12 that are already operating.

13 Let me talk a little bit about broadband
14 versus narrowband in the 700-megahertz band. With
15 respect to broadband, as many of you may know, the
16 Commission has been engaged in a rulemaking
17 proceeding to lay the foundation for creation of a
18 nationwide interoperable broadband public safety
19 network in the 700-megahertz band, and proposals have
20 involved the use of a public-private partnership to
21 develop the network.

22 That is of course a subject on which

1 there has been a great deal of discussion and there
2 will continue to be a great deal of discussion before
3 the new Commission because that rulemaking is still
4 pending.

5 For purposes of our discussion today with
6 respect to the DTV transition, really as a practical
7 matter because that proceeding is still ongoing and
8 the ultimate disposition of the broadband portion of
9 the spectrum is still to be decided by the
10 Commission, it's unlikely to be affected by the
11 timing of the digital television transition, whether
12 it will occur next February, within a couple of
13 weeks, or in June if the pending legislation were to
14 be passed.

15 Really, when we're talking about
16 broadband deployment in the band we're talking about
17 something that is in the future that's obviously
18 extremely important to the Commission and to the
19 development of public safety technology. But the
20 digital television transition itself, the timing
21 options that we're talking about should not have a
22 significant impact.

1 The timing does have a bit more impact on
2 narrowband operations by public safety entities in
3 the 700-megahertz band. By narrowband, typically
4 we're talking about conventional voice operations and
5 perhaps some limited data, not high-speed data
6 operations, that use narrowband channels. So this is
7 more likely the public safety operation that we see,
8 we have seen in other bands as well, the sort of
9 traditional types of public safety first responder
10 radio networks.

11 There are a number of public safety
12 agencies that have already commenced operation in
13 areas of the country where there are no issues of
14 interference with the existing television or digital
15 television broadcast stations because they don't
16 operate on those particular channels, 63-64, 68-69.

17 In those areas where there are still
18 broadcasters operating, then obviously the timing of
19 the DTV transition becomes a significant issue.
20 Under the options that are currently being
21 considered, though -- that is, either the transition
22 will take place on February 17th or, if the

1 legislation passes as it's currently drafted, it will
2 provide for a transition in June -- clearly it's an
3 issue of concern to public safety as to when that
4 transition is going to occur. But we do not have
5 evidence at this point that the impact of that type
6 of delay is of enormous significance to public
7 safety. That's for several reasons.

8 First of all, we have procedures in
9 place, rules in place, that would allow public safety
10 to move onto these channels very quickly after the
11 DTV transition, whenever it occurs, and indeed they
12 can do much of their planning and preparation ahead
13 of time. We don't need -- at least for narrowband
14 services, we do not need to conduct a rulemaking.
15 The rules are in place, the licensing mechanisms are
16 in place.

17 Let me explain a little bit about how
18 those licensing mechanisms work. Some of the 700-
19 megahertz narrowband spectrum is already allocated by
20 blanket license to each state. What that means is
21 those individual states already have the right to
22 deploy facilities in the band under those blanket

1 licenses without having to come back to the
2 Commission and obtain additional licenses from the
3 FCC. In addition, the states can and in some cases
4 have entered into arrangements with state -- sorry --
5 local jurisdictions within the state, that allow
6 those local jurisdictions to use the channels under
7 the authority of the state by agreement.

8 So again, when we're talking about those
9 types of applications under the authority of the
10 state's license there's no further licensing that's
11 required by the Commission. What that means is that
12 if you're in a state where there is an analog, let's
13 say an analog Channel 63 broadcaster just as an
14 example, that's occupying channels that are part of
15 what has been licensed on a blanket basis to the
16 state, as soon as that broadcaster has vacated as a
17 part of the transition the state has the authority to
18 deploy facilities on that spectrum without having to
19 come to the Commission to obtain a license.

20 The rest of the narrowband spectrum
21 that's not licensed on a state basis is licensed by
22 individual applications that come to the FCC pursuant

1 to prior FCC-approved regional planning committee, or
2 RPC, plans. The RPCs are public safety committees in
3 -- largely the regions correspond to the states, but
4 not entirely. But the RPCs are public safety
5 committees within each state that develop
6 coordination plans within the respective regions to
7 maximize use of the 700-megahertz spectrum. If an
8 applicant wants to use spectrum that's subject to
9 that plan, they first go to the RPC, get their
10 approval and ensure that what use they want to make
11 of the spectrum is consistent with the plan. Then
12 once they've done that, they file an application with
13 us, which can be granted very quickly.

14 Again, those procedures are already in
15 place. There are 55 regions and therefore 55 RPCs in
16 the U.S. Not all of them at this point have
17 developed regional plans. At this point there are 13
18 that have developed plans that have been approved by
19 the FCC. Other regions are in the process of
20 developing plans. But even in the regions where
21 there is no RPC plan, FCC-approved RPC plan in place
22 currently, there are still options that allow public

1 safety licensees in those jurisdictions to come to
2 the Commission and obtain typically it's what we call
3 an STIA, special temporary authorization, that allows
4 them to commence operations even before the plan is
5 put in place. And there are some jurisdictions --
6 Louisiana and Mississippi are a couple of examples --
7 that have used that approach.

8 So where we stand now in terms of
9 narrowband use of the spectrum is that there are
10 probably several dozen public safety entities across
11 the country, including some statewide systems, that
12 have already deployed systems, narrowband systems, in
13 areas where there are no broadcast incumbents on the
14 public safety channels. These include Illinois,
15 Louisiana, Mississippi, Virginia, Nebraska, North
16 Carolina, Arkansas, Colorado, and Ohio.

17 There also have been some significant
18 municipal deployments, including Las Vegas, Phoenix,
19 and Mesa, Arizona. Other public safety entities will
20 have to wait for the DTV transition until they can
21 deploy, or at least wait for the incumbents in their
22 area to vacate.

1 This is an important point in the draft
2 legislation if it were to be adopted, because that
3 legislation gives broadcasters the option of moving
4 early. So broadcasters have the option, if they
5 wish, to move before the June deadline. Therefore,
6 if an individual broadcaster were to choose to do
7 that, then public safety entities in that affected
8 area could potentially move onto that spectrum sooner
9 than the June deadline if that were to be adopted.

10 So the overall impact of a possible delay
11 -- one of the things that we've been looking at as to
12 what is the anticipated demand for narrowband use of
13 the public safety spectrum in those areas where there
14 are still broadcast incumbents. At the moment we
15 only have a handful of applicants what have
16 specifically come to us and appear to be anticipating
17 the broadcaster leaving as part of the transition so
18 that they can deploy.

19 A couple of examples. Scottsdale,
20 Arizona, is one. In our own back yard, Prince
21 George's County and the State of Maryland are others.
22 There may be other public safety entities that are

1 waiting to see what happens. This could include
2 state entities, perhaps some entities within states
3 that are already authorized. As I said before, they
4 don't necessarily have to file applications with us,
5 but I think as a practical matter, based at least on
6 what we know now, we don't have evidence that the
7 type of delay that we're talking about here is going
8 to create a significant roadblock to public safety
9 plans to deploy in the band. It's obviously
10 something we're going to monitor carefully.

11 We are going to continue to get
12 information from the public safety stakeholders that
13 have an interest, as well as others that are
14 participating in the transition. But that is our
15 best assessment of the situation as we sit here
16 today.

17 With that, Jeff, I don't know if there's
18 anything you want to add. Otherwise, we're happy to
19 take any questions if you have them.

20 (Lights come on.)

21 MR. FURTH: And I guess the lights have
22 come back on.

1 MR. COHEN: I was wondering if that was
2 public safety.

3 MR. FURTH: That wasn't us.

4 Yes, please?

5 MR. STOUT (through interpreter): I want
6 to make sure I understand what you were just
7 discussing. For example, if there's an ice storm in
8 Maryland and I watch my TV, I have cable service and
9 I know there's a public safety channel, I know what
10 it is. I think you said 63-64. However, I go to
11 that channel and I get some information on the
12 weather or any safety issues related to where I live,
13 correct?

14 MR. FURTH: That's possible. But maybe I
15 have left a misimpression, because the public safety
16 operations that we are talking about would be the
17 radio operations of first responders. That is, when
18 we're talking about narrowband operations in the 700-
19 megahertz band on public safety entities, we're not
20 talking about television broadcasting. What we're
21 talking about is the radio systems that the police,
22 the fire department, the EMTs use to communicate with

1 one another and respond to emergencies.

2 So if I left a misimpression, I
3 apologize. But I hope that maybe clears up the
4 question that you have.

5 MR. STOUT: Okay, thank you.

6 MR. FURTH: Any other questions?

7 (No response.)

8 CHAIRPERSON BERLYN: Thank you very much,
9 David. I really appreciate it. Again, we definitely
10 will have time to get you back here for further
11 discussion and we appreciate it. Thank you for your
12 patience in waiting it out to the end of the day
13 here, the end of our day. I'm sure not yours.

14 MR. FURTH: Thank you all. I wish
15 everyone here a safe journey to wherever it is you've
16 come to visit us from.

17 CHAIRPERSON BERLYN: And congratulations
18 on your 5:00 p.m. Acting Bureau Chief.

19 (Applause.)

20 CHAIRPERSON BERLYN: A couple things.
21 We're looking at our agenda. Here's how we now look
22 here. We're next going to take public comments if

1 there are some, but we will make sure that we have
2 that opportunity, as always. We have to go through
3 our recommendations, and we also do want to talk
4 about going forward. We want to make sure that
5 everybody is in the room when we talk about where we
6 go next.

7 So a couple thoughts. One is that I want
8 to make sure that we give fair consideration to each
9 of our recommendations and that we don't rush through
10 them, and that everybody has an opportunity to
11 carefully review each of our recommendations and make
12 any comments and changes that they so desire. It is
13 the nature of this process that we don't have a lot
14 of preparation time sometimes, so we are in that sort
15 of position today.

16 There are a couple of choices we have.
17 One option is if we do feel that we need additional
18 time or if anyone feels that they want to take a look
19 at some of these recommendations and see them in
20 writing, we could -- I was just talking to Scott --
21 we could have a conference call meeting of the CAC,
22 the whole CAC, next week to vote on each of these

1 recommendations and do it that way, not necessarily
2 the ones you have in your package, because those you
3 had an opportunity to look at, but perhaps the new
4 ones that we are proposing today that we have just
5 developed. So that's one option.

6 The other option is we can go forward and
7 consider them right now. So think about that for a
8 moment.

9 But first let me ask if there's anyone
10 here who would like to offer any public comments in
11 the room?

12 (No response.)

13 CHAIRPERSON BERLYN: I do have some
14 electronic public comments that I'm going to
15 distribute, that were just received. So this is the
16 FCC getting into the new age here. So you can take
17 these with you.

18 I also know that Ken has mentioned that -
19 - I also know that, Ken, you have to leave shortly?

20 MR. McELDOWNEY: Yes.

21 CHAIRPERSON BERLYN: And I also want to
22 make sure, separate and apart from the way we do our

1 recommendations today, you want to make sure that we
2 schedule -- did you want to bring that question up?
3 Thank you.

4 MR. McELDOWNEY: Thanks.

5 I know that in the morning session there
6 was interest both from the Commissioners and also
7 from FCC staff in terms of getting input sooner as
8 opposed to later on the type of community-based
9 education outreach that we would recommend. So I
10 guess a couple things. One is to ask the chair if
11 she and Scott would set up such a conference call
12 next week with key FCC staff plus anyone on the CAC
13 who wants to be in on that call.

14 I guess the second question then is, if
15 such a call is possible, sort of who on the CAC would
16 be interested in taking part in it?

17 CHAIRPERSON BERLYN: So this would be to
18 discuss outreach, DTV outreach?

19 MR. McELDOWNEY: Yes.

20 CHAIRPERSON BERLYN: With appropriate FCC
21 staff, and those on the CAC who would be interested.
22 This is of course, I would assume, assuming there is

1 a delay.

2 MR. McELDOWNEY: Yes.

3 CHAIRPERSON BERLYN: Because it's one
4 week for an outreach plan otherwise.

5 Thank you. I think that's an excellent
6 idea, and unless anyone disagrees we will -- if
7 you're not here, Ken, we will plan to do that, and
8 I'll tale volunteers. And I assume you are
9 volunteering, number one, for that task force.

10 MR. McELDOWNEY: Right. Okay, thanks.

11 CHAIRPERSON BERLYN: Great. Okay, so we
12 have no public comments. Now we are at the point in
13 our committee where we are considering our
14 recommendations. Yes, Gloria?

15 MS. TRISTANI: You asked us to think
16 about whether we should vote on the recommendations
17 that were previously given to us or perhaps wait
18 until next week or whatever when we can all get on
19 the call together to vote on the ones that we've been
20 discussing today. I would urge all of you to
21 consider that, because of the time sensitive nature
22 of these issues, that we should at least discuss

1 these recommendations today. They're not very long
2 or very complicated.

3 CHAIRPERSON BERLYN: Okay, let's see how
4 we do on our time.

5 MS. TRISTANI: We actually have quite a
6 bit of time, so I'd sure appreciate it if we could do
7 that.

8 MR. MARSHALL: It would be simpler if we
9 could adopt them now.

10 CHAIRPERSON BERLYN: It would be simpler,
11 there's no doubt about that, if we can move them
12 quickly. We can try and do that.

13 I do know that there are several of us
14 who need to leave today at 3:30. Unfortunately, I am
15 one of those. So I will disclose that, and there are
16 several others in the room who are in that position.
17 So we'll see what we can do. But we will continue to
18 go. I don't know if we will continue to have a
19 quorum or not at that point, but let's see what we
20 can do.

21 There are three in your packets. If you
22 want to take out the recommendations that are in your

1 packets -- let's see if there's any particular -- I'm
2 trying to see who is going to present what here.
3 Karen, I know you have -- you have the one on video
4 description.

5 MS. PELTZ STRAUSS: Closed captioning.

6 CHAIRPERSON BERLYN: Closed captioning
7 and video description. Do you want to present that
8 one to the committee?

9 MS. PELTZ STRAUSS: Sure. Gloria, I'm
10 amending that a little bit, but you'll be for that,
11 too.

12 This was actually something that was put
13 together by most of the disability group, which is
14 part of the DTV group, and also with the help of Dana
15 Mulvaney, who I mentioned before, kind of a composite
16 effort by a number of people.

17 It says: "The Commission should take
18 immediate and ongoing actions to resolve problems
19 associated with the provision of closed captions and
20 video description for provided on digital television
21 programming." And I should add that part of this
22 builds on a resolution which was already agreed upon,

1 which is in number 2. "In light of the rapidly
2 approaching cessation of analog transmissions
3 nationwide, the FCC should take whatever steps are
4 necessary to ensure that individuals who rely on
5 closed captioning and video description are not cut
6 off from access to emergency information and other
7 televised material when the DTV transition takes
8 place. To achieve this, the CAC recommends the
9 following actions:

10 "Number 1, the Commission should
11 immediately conduct an assessment of current and
12 anticipated problems associated with the transmission
13 and display of closed captioning and video
14 description. This effort should involve gathering
15 information on how to resolve these problems as well
16 as making this information publicly available on an
17 expedited and ongoing basis through an information
18 clearinghouse and other measures. In this manner all
19 interested parties, including engineers,
20 manufacturers, programming distributors, and
21 consumers, will have access to available technical
22 solutions.

1 "Number 2" -- and this was the part that
2 more or less was resolved before; we built upon it
3 just a little bit to clarify some points -- "as part
4 of the effort to achieve number 1 above, the
5 Commission should convene a technical working group
6 on digital closed captioning and video description
7 that includes representatives from broadcast, cable,
8 and satellite industries, manufacturers of consumer
9 electronics, manufacturers of equipment used or
10 connected with the processing and encoding of
11 captions and video description, consumer electronic
12 retailers, captioning and video description
13 providers, and consumers of captioning and video
14 description.

15 "The working group would" -- first dot --
16 "identify current and anticipated problems with the
17 transmission and display of video captioning and
18 video description."

19 Second bullet: "Evaluate the captioning
20 and video description capabilities of digital
21 equipment; and

22 Third bullet: "Devise solutions to

1 ensure that captions and video description are passed
2 through intact to the consumer."

3 "Number 3: The Commission should assume
4 a leadership role in ensuring that TV station
5 engineers will seek the guidance and assistance they
6 need to correct technical problems related to closed
7 captioning and video description as these solutions
8 are developed.

9 "Number 4: The Commission should step up
10 its enforcement of existing closed captioning
11 applications that already apply to DTV manufacturers
12 and distributors of DTV programming under the
13 Commission's rules."

14 Now, that's what everybody has in front
15 of them. I would like to propose a fifth. Should I
16 stop there or should I go further?

17 CHAIRPERSON BERLYN: You want to add to
18 your own?

19 MS. PELTZ STRAUSS: I do.

20 CHAIRPERSON BERLYN: Okay, let's see. A
21 friendly amendment.

22 MS. PELTZ STRAUSS: Right.

1 CHAIRPERSON BERLYN: Why don't you offer
2 your friendly friendly amendment.

3 MS. PELTZ STRAUSS: All right. My
4 friendly amendment is: "Number five, the Commission
5 should appoint dedicated staff in its call centers" -
6 - and I put an "s" because I'm still not sure whether
7 it's "center" or "centers" -- "to specifically
8 respond to questions and concerns associated with the
9 transmission and display of closed captioning and
10 video description."

11 Do you want me to read that slower?

12 CHAIRPERSON BERLYN: "To respond to" --

13 MS. PELTZ STRAUSS: I'm sorry, I'll read
14 it a little slower: "The Commission should appoint
15 dedicated staff in its call center(s) to
16 specifically" -- or -- "specifically to respond to
17 questions and concerns associated with the
18 transmission and display of closed captioning" --

19 CHAIRPERSON BERLYN: I lost it again.

20 "To respond to questions and concerns."

21 MS. PELTZ STRAUSS: "Associated with" --

22 CHAIRPERSON BERLYN: "Associated with" --

1 MS. PELTZ STRAUSS: "The transmission and
2 display of closed captioning and video description."

3 CHAIRPERSON BERLYN: Okay, very good.

4 MS. PELTZ STRAUSS: So can I make a
5 motion that this be accepted. Do we need to discuss
6 it? How do we do this? Do I make a motion first,
7 then we discuss it?

8 CHAIRPERSON BERLYN: Sure.

9 MS. PELTZ STRAUSS: So I move that this
10 be adopted.

11 CHAIRPERSON BERLYN: Second?

12 VOICE: Second.

13 CHAIRPERSON BERLYN: Discussion?

14 (No response.)

15 CHAIRPERSON BERLYN: Hearing none, all
16 those who are in favor signify by saying aye.

17 (Chorus of ayes.)

18 CHAIRPERSON BERLYN: All those opposed?

19 (No response.)

20 CHAIRPERSON BERLYN: It's approved. Any
21 abstentions?

22 (Show of hands.)

1 CHAIRPERSON BERLYN: Sorry. One, two,
2 three.

3 MR. MARSHALL: Do you want to make a
4 record of the abstentions?

5 CHAIRPERSON BERLYN: There are three
6 abstentions. I saw three abstentions.

7 All right. Thank you, Karen.

8 MS. PELTZ STRAUSS: Thank you.

9 CHAIRPERSON BERLYN: There is another one
10 in your packet. I think, Charles, you're presenting
11 this one; is that correct?

12 MR. BENTON: Yes.

13 CHAIRPERSON BERLYN: Pull out your second
14 one there, and it's "November 2008 meeting," it
15 starts out. Charles, do you want to read the rest?

16 MR. BENTON: Yes, thank you. I think you
17 can read this quickly. It's half a page. This came
18 out of the conference call of the DTV Subcommittee
19 that the Chairman led last week, and I made this
20 suggestion. This was one of our 12 recommendations
21 in our November 14th meeting. It was number 8
22 actually and we just picked it right up from that

1 earlier, and out of the paragraph at the end, which I
2 will read because the rest is what we had before.

3 So the last paragraph in here says:
4 "With new leadership and a possibly new deadline for
5 the DTV transition, the CAC recommends that the FCC,
6 while redesigning its web site to make it more
7 friendly, give high priority to the creation and
8 maintenance of a DTV Consumer Forum so that consumers
9 have an online space to bring up and offer advice on
10 issues related to their personal adoption of digital
11 television technology."

12 So this is simply picking up the eighth
13 recommendation in our previous set. It seemed to me
14 as we discussed it last week that it ought to be
15 raised up among priorities and therefore given
16 special and additional mention today.

17 So I would move the adoption of this, and
18 I have another couple of things to say while I have
19 the floor.

20 VOICE: Second.

21 CHAIRPERSON BERLYN: Any discussion?

22 (No response.)

1 CHAIRPERSON BERLYN: All those in favor
2 of this recommendation, signify by saying aye.

3 (Chorus of ayes.)

4 CHAIRPERSON BERLYN: Any opposed?

5 (No response.)

6 CHAIRPERSON BERLYN: Abstentions?

7 (No response.)

8 CHAIRPERSON BERLYN: Okay.

9 MR. BENTON: No abstentions. I feel
10 singled out here, very special with no abstentions.

11 CHAIRPERSON BERLYN: Okay, Charles, you
12 want to have the floor?

13 MR. BENTON: Yes, I do. Thinking about
14 the next steps, this is a next step point. In view -
15 - this actually was inspired by Commissioner Copps
16 and I'm passing this around so you'll have the paper
17 here in front of you. But I was inspired by
18 Commissioner Copps' speech to the staff here at the
19 FCC on Monday.

20 I am recommending here that the CAC
21 create a new working group for 2009-2010 -- that's
22 the season we're in -- that would be called the

1 Working Group on FCC Openness and Transparency.

2 CHAIRPERSON BERLYN: Charles.

3 MR. BENTON: This is right in line with
4 our topic here of "Where Do We Go From Here?" on the
5 agenda, "Where Do We Go From Here?, Open Discussion
6 Regarding CAC's Future Role."

7 CHAIRPERSON BERLYN: Actually, no. We're
8 on recommendations now, action recommendations. If
9 you could hold, I would prefer that we go -- we'll
10 hold for a moment.

11 MR. BENTON: Okay.

12 CHAIRPERSON BERLYN: I prefer that we go
13 right now to the recommendations that we have from
14 our DTV Working Group and hold on this.

15 MR. BENTON: That's fine.

16 CHAIRPERSON BERLYN: We'll continue.
17 We'll pass this around.

18 MR. BENTON: You're right.

19 CHAIRPERSON BERLYN: Let's see. Can I
20 call on our scribe extraordinaire, Kevin? Oh, Karen
21 has it.

22 MR. MARSHALL: If we can get the Court

1 Reporter please to expedite this portion of the
2 transcript on the recommendations, that would be very
3 helpful as well.

4 COURT REPORTER: Yes.

5 CHAIRPERSON BERLYN: Based on our working
6 group recommendations today, we have several
7 recommendations that came out of that. Karen's going
8 to read them. We'll take them one at a time. Karen,
9 how many do we have?

10 MS. PELTZ STRAUSS: It looks like we have
11 six.

12 CHAIRPERSON BERLYN: Six, and they're all
13 connected. But we'll take them one at a time.

14 MS. PELTZ STRAUSS: I can read them one
15 at a time.

16 CHAIRPERSON BERLYN: Okay, we'll take
17 them -- we have to take them; we're taking them one
18 at a time.

19 MS. PELTZ STRAUSS: They're all
20 connected, but I'm going to read them. Bear with me
21 because I have them in like three different pieces of
22 paper here.

1 "The CAC proposes the FCC develop a
2 specific plan for notifying consumers about stations
3 that decide to transition before the official analog
4 cutoff date of June 12, 2009" -- and we're assuming
5 that that's the date; we can leave off that date if
6 you want to and just say "analog cutoff date." So
7 why don't I do that, just say "analog cutoff date."

8 CHAIRPERSON BERLYN: Yes.

9 MS. PELTZ STRAUSS: "As part of this
10 plan, and in order to improve digital television
11 transition consumer education and adoption efforts,
12 the FCC shall" -- and now we're starting with number
13 one. So that was actually -- that's why I'm saying
14 it is all part of the plan.

15 CHAIRPERSON BERLYN: I see.

16 MS. PELTZ STRAUSS: And there are some
17 components of the plan.

18 CHAIRPERSON BERLYN: I hear you.

19 MR. ELLIS: The first part was the FCC
20 should consider this?

21 MS. PELTZ STRAUSS: "The FCC should
22 develop a plan," and this is the first part of the

1 plan. So the FCC shall:

2 "One, publish and regularly update
3 information on television broadcast stations that
4 have commenced digital-only operations" -- and in
5 parentheses, "i.e., have turned off their analog
6 channel" -- period. "The CAC proposes that this
7 information be" -- and now there are subsections.
8 The first one is: "Published on the FCC's web site."

9 The second is: "Provided to the FCC's
10 call center."

11 The third is: "Provided to FCC and NTIA
12 contract recipients."

13 The fourth is: "Distributed to members
14 of the CAC."

15 And the fifth is: "Distributed to
16 members of the DTV Transition Coalition."

17 The second bullet -- again this is part
18 of the plan -- "is that the FCC should survey a
19 sampling of the stations that have converted to all-
20 digital TV broadcasting and their viewers for the
21 purpose of collecting best practices and issues that
22 warrant greater attention."

1 The third one -- one second. Actually, I
2 think there's five. I think there's five. So the
3 third one is: "Work with broadcasters and other
4 stakeholders to coordinate education efforts on a
5 market by market basis."

6 The fourth one is: "Consider as one
7 means of notifying consumers about station
8 transitions direct mailings to consumers. Such
9 mailings should be identified as official government
10 correspondence in a manner that clearly distinguishes
11 such mailings from general correspondence."

12 CHAIRPERSON BERLYN: What number is that?

13 MS. PELTZ STRAUSS: That's four.

14 Then five is -- again, this is part of
15 what the FCC should do. It should: "Continue and
16 expand efforts to prevent and remedy to the extent
17 possible potential loss of TV coverage."

18 Oh, wait. There were six. Sorry. I
19 said that this was going to be hard. Number six is:
20 "The FCC and other grant-issuing agencies" --
21 actually, this may be -- okay. "The FCC and other
22 grant-issuing agencies should make an extra effort to

1 target DTV funds" -- I don't know whether we can
2 cover other grant-making agencies, so we may just
3 want to say the FCC -- "should make an extra effort
4 to target DTV funds to educate populations that have
5 been identified by the FCC and the Nielsen Company in
6 its Analog-Digital Readiness Transition Report
7 (January 2009) as least prepared for the DTV
8 transition. In addition to the geographic areas
9 identified by the Nielsen survey, these include
10 African-American and Hispanic populations, rural
11 communities, non-English-speaking individuals, low
12 income individuals, and people with disabilities."

13 So that's number six. I can add "Native
14 American." I can -- what is the correct terminology?

15 MR. STEPHENS: "Native American tribes."

16 MS. PELTZ STRAUSS: "Native American
17 tribes."

18 Now, apparently some of these have been
19 specifically identified, but all of them I think can
20 be -- we acknowledge that all of them are of concern.

21 MR. MARSHALL: That's the end of the
22 list?

1 MS. PELTZ STRAUSS: That's the end of the
2 list.

3 CHAIRPERSON BERLYN: So I think we have
4 questions.

5 MS. BOBECK: Karen, can you just re-read
6 for us the provisions on the mailing?

7 MS. PELTZ STRAUSS: Yes. That was number
8 -- that was number 4: "Consider as one means of
9 notifying consumers about station transitions" -- I
10 don't know whether you want "transitions" or
11 "conversions" -- "direct mailings to consumers. Such
12 mailings should be identified as official government
13 correspondence in a manner that clearly distinguishes
14 such mailings from junk correspondence" -- junk mail.

15 CHAIRPERSON BERLYN: To say "government
16 mailings," is that good enough in terms of the cost,
17 covering the cost?

18 MS. PELTZ STRAUSS: What? Oh, the cost.
19 We can say before "consider," "if funds are
20 available."

21 CHAIRPERSON BERLYN: Right, "if funds are
22 available."

1 MS. PELTZ STRAUSS: I switched the
2 sentence around and I left that out.

3 Number 5 is: "Continue" -- is it
4 "Continue and expand" or is it "Continue to expand"?

5 MS. TRISTANI: "Continue and expand."

6 MS. PELTZ STRAUSS: "Continue and expand
7 efforts to prevent and remedy" -- "to prevent, and
8 remedy to the extent possible, potential loss of TV
9 coverage." This has to do with those maps.

10 MS. BOBECK: Do you want to say "signal
11 coverage."

12 MS. PELTZ STRAUSS: "Of TV signal
13 coverage"?

14 CHAIRPERSON BERLYN: Can I ask a question
15 on number 2? It says -- can you read back? It was a
16 part of number 2 where it says "stations."

17 MS. PELTZ STRAUSS: "Survey a sampling of
18 stations."

19 CHAIRPERSON BERLYN: Do we need to be
20 more specific there? Are we talking about -- what
21 about public broadcasting? Are we just talking about
22 broadcast stations?

1 MS. PELTZ STRAUSS: Wouldn't it cover
2 both?

3 MS. BOBECK: It covers both.

4 CHAIRPERSON BERLYN: If you say
5 "stations" that's good enough?

6 MS. BOBECK: You could say "full power
7 stations." Could you re-read that?

8 MS. PELTZ STRAUSS: "Survey a sampling of
9 the stations that have converted to all-digital TV
10 broadcasting and their viewers, for the purpose of
11 collecting" --

12 CHAIRPERSON BERLYN: That's good enough.

13 MS. BOBECK: That's fine.

14 MS. TRISTANI: There's a question.

15 MS. KINNEY: Linda Kinney from Dish
16 Network. I just have two suggestions. The first,
17 number one, where we say the FCC would update
18 regularly some sort of database, I would suggest
19 being more specific and perhaps saying weekly. One
20 of our concerns is we as a DTV provider have to make
21 adjustments to our back office equipment so that our
22 30 million subscribers will actually be able to see

1 once the conversion occurs. And we need very
2 accurate information, and if it's not updated weekly
3 that's a real problem, I think, for a lot of the rest
4 of us, too, and for consumers, if they did it less
5 frequently, monthly, or if they lagged behind.

6 MS. BOBECK: Should we say "at a minimum
7 weekly"?

8 MS. KINNEY: Yes, that's what I was
9 thinking, at a minimum weekly.

10 MS. BOBECK: I would hope it's daily.

11 MS. KINNEY: At a minimum.

12 MS. BOBECK: Good suggestion.

13 MS. KINNEY: My other suggestion would be
14 on number 4, which is the direct mailings. We as
15 well as the cable industry, covering about 100
16 million customers, are all mailing our customers and
17 have notification requirements. To have a competing
18 notification from the government I think, one, would
19 potentially cause more confusion to our customers,
20 would drive more calls to call centers that are
21 already overburdened.

22 So I would suggest adding language that

1 says something like "attempt to target over-the-air
2 households." I don't know how they would do this
3 specifically, but certainly it would be I would think
4 an incredible expenditure to send direct mail to 100
5 million people who don't need it, and cause more
6 confusion and drive more calls and perhaps actually
7 detract from the purpose. Try to focus on either
8 certain communities or over-the-air.

9 CHAIRPERSON BERLYN: What if you have
10 second and third and fourth TVs that are not
11 connected?

12 MS. PELTZ STRAUSS: I would think my goal
13 in suggesting this was really to target areas where
14 stations were going, converting early. So it
15 wouldn't be necessarily as broad as you're
16 anticipating, assuming that it's a finite number. I
17 don't know. If everybody's going to go early
18 incrementally, then it is everybody.

19 MS. KINNEY: I don't know how you'd
20 figure it out. We've already heard of two stations
21 that are trying to go back to analog after they've
22 converted, and how you would be able to do that with

1 a lead time that made sense in markets with any level
2 of accuracy -- I just mention this because during the
3 soft cutoffs what's happened is, even though the
4 broadcasters are saying in lots of cases their slate
5 says "If you're seeing this message you're not being
6 impacted," if we haven't exchanged all of our back
7 office equipment the truth is those messages were not
8 accurate for our subscribers and drove all kinds of
9 calls and created a lot of consumer confusion.

10 We don't want to add to the consumer's
11 confusion, is what I'm saying, and having conflicting
12 messages, one from your provider and one from the
13 government and one from the broadcaster, does add to
14 a lot of confusion.

15 MS. TRISTANI: Can I --

16 CHAIRPERSON BERLYN: Go ahead.

17 MS. TRISTANI: Unfortunately, there
18 already is a lot of consumer confusion because -- I
19 don't want to go back, but this wasn't done right,
20 and now we're just trying to do what we can to remedy
21 it.

22 I think Karen's suggestion was, since

1 there are going to be -- let's assume for the sake of
2 argument that Congress passes and the President signs
3 the delay bill. There are still going to be many
4 markets or stations that are going to transition
5 before that date, and I think this was an attempt to
6 make sure that where that's happening sooner rather
7 than later that there be more awareness of that.

8 Unfortunately, there's no perfect way to
9 do this. It may be that we recommend this and there
10 are actually no funds for this. Mailings are very,
11 very expensive. So this may be a pie in the sky in
12 any event.

13 Is there a way to identify the over-the-
14 air households? That would be terrific, but I don't
15 know.

16 MS. PELTZ STRAUSS: What if we add the
17 language "consider," "if funds are available,
18 consider as one means of notifying consumers who may
19 be using over-the-air televisions"?

20 MS. KINNEY: That's fine. I just think,
21 also speaking as a taxpayer, I don't want hundreds of
22 millions of dollars going out toward mailings where

1 people have pay TV services and don't need those
2 mailings. I just think I would prefer to have those
3 funds targeted in whatever way they can toward over-
4 the-air households.

5 I understand people may have TVs in
6 basements and, believe me, our subscribers do. I
7 don't really feel sorry for those people. I mean, as
8 a member of this committee and a former FCC staffer
9 for a decade, I'm not really focused on the poor pay
10 TV subscriber who has a basement TV. They get
11 information during hurricanes or a floor or whatever
12 the emergency is. I just don't want my money going
13 toward those customers.

14 Again, we've had such confusion among our
15 own subscribers over this whole thing and they're not
16 impacted by this. So really it's driven a lot of
17 resources in a way that's not necessary.

18 So I hear you on the direct mail, but it
19 seems to me the money would be better spent and cause
20 less other ancillary problems if the focus continued
21 to be on over-the-air households rather than on pay
22 TV households.

1 MS. TRISTANI: And I agree with some of
2 that. But I do want to go back to a point here. My
3 number one concern right now is over-the-air only
4 households, but I also am concerned about the
5 hundreds of thousands and millions of Americans who
6 are having to do different things because of the
7 transition. Let's face it, this is a government
8 mandate. Yes, there are consumers that have four or
9 five TVs and four of them may not work any more, and
10 that was not their choice.

11 So let's keep in mind that everyone, even
12 those that have pay services, are being impacted. A
13 lot of the pay services are also going up. They're
14 changing to digital tier. All sorts of things are
15 happening. So it's not a seamless all only over-the-
16 air. The fact is in America some people have seven,
17 eight televisions and if seven of those are analog
18 they don't work any more. So everybody is being
19 impacted in one way or another. Some are more
20 vulnerable, but let's not forget that, that everybody
21 in some way is impacted.

22 MS. KINNEY: Yes, sorry.

1 MS. TRISTANI: And without -- they have
2 no choice in the matter.

3 MS. KINNEY: Just to be clear, my first
4 starting point is we are contacting -- we are, under
5 FCC rules, to have notices mailed to each and every
6 one of our subscribers on a monthly basis informing
7 them if they have TVs that are not hooked up to our
8 system they must do something, and here's the
9 directions.

10 So all I'm saying is these people have
11 been bombarded with those messages and those mailings
12 are occurring, at great expense, millions of dollars
13 we're all spending to notify everybody monthly, and
14 have special notices.

15 MS. TRISTANI: And I know there have been
16 good efforts from industry, etcetera. But you ask my
17 89-year-old dad and my 83-year-old mother, and
18 they're both fairly intelligent -- my dad's mind is
19 not there any more -- and they're still very
20 confused, and they get the notices. So let's face
21 it, it's confusing. It's a transition. It's hard.
22 It's change. And we're just trying to do everything

1 we can.

2 But I'm taking up time here, and I think
3 we've made some amendments to the portion that
4 concerned you. So if there are other areas --

5 CHAIRPERSON BERLYN: I have to take a
6 poll on how we're doing here. Oh, Brenda, do you
7 have a comment on this?

8 MS. PENNINGTON: I just have one
9 amendment. In the introductory paragraph where you
10 talk about education, I'd like it to read "education
11 and outreach."

12 MS. TRISTANI: That's in the beginning?

13 MS. PENNINGTON: Yes, it's in the
14 beginning.

15 MS. TRISTANI: In the preamble?

16 CHAIRPERSON BERLYN: The preamble. Well,
17 actually in number 6 where you say "to target DTV
18 funds to educate." You say that in number 6, Karen.

19 MS. PELTZ STRAUSS: Number 6 is "to
20 educate."

21 CHAIRPERSON BERLYN: Is that what we're
22 talking about, "to educate" funds?

1 MS. PELTZ STRAUSS: The first one, all
2 that the first one says is that "The FCC should
3 develop a plan for notifying consumers about stations
4 that decide to transition before the cutoff date. As
5 part of this plan, and in order to improve the
6 digital television transition consumer education and
7 adoption efforts" --

8 MS. PENNINGTON: "Consumer education and
9 outreach efforts," that's what I want it to read.

10 MS. PELTZ STRAUSS: So "adoption" was
11 somebody else's words. Whoever said that, is that
12 okay? "Outreach and adoption," okay.

13 CHAIRPERSON BERLYN: That's number 6.

14 MS. PELTZ STRAUSS: No, that's the
15 preamble.

16 MS. TRISTANI: That's the preamble?

17 CHAIRPERSON BERLYN: That's the preamble.
18 So what is number 6?

19 MS. PELTZ STRAUSS: Number 6 is making an
20 extra effort to use funds for populations identified
21 as not ready, as least prepared for the transition.

22 CHAIRPERSON BERLYN: Using DTV funds?

1 MS. PELTZ STRAUSS: Yes, yes.

2 CHAIRPERSON BERLYN: To -- oh, you don't
3 have the word "educate" in there?

4 MS. PELTZ STRAUSS: I do, but it's not --

5 CHAIRPERSON BERLYN: I'm asking a
6 separate question.

7 MS. PELTZ STRAUSS: Yes, the word
8 "educate" is in there, but "educate" is a verb, so
9 you can't say "educate and outreach" people.

10 CHAIRPERSON BERLYN: Because you want to
11 do more than just educate people, don't you?

12 MS. PELTZ STRAUSS: Okay. "The FCC
13 should make an extra effort to target DTV funds for
14 the purpose of providing to educate" --

15 CHAIRPERSON BERLYN: "To educate and
16 assist"?

17 MS. PELTZ STRAUSS: Yes, I like that.

18 CHAIRPERSON BERLYN: Okay.

19 MS. PELTZ STRAUSS: That goes beyond
20 that. It goes to help them out.

21 CHAIRPERSON BERLYN: Yes, right. Okay,
22 good.

1 MS. BOBECK: For those of us who don't
2 have the benefit of the draft in front of us, and
3 because we've gone back and forth among 4, 5, 6, 8,
4 2, and 3, can we do one more read-through if
5 discussion is through, so we're all comfortable?

6 CHAIRPERSON BERLYN: We certainly can.
7 We have a problem. We have not gotten to the last
8 part of our meeting, which is a discussion of the
9 working groups, and I do know that Charles needs to
10 go. This is what I think we need to do -- and bear
11 with me, CAC. I think what we need to do, because I
12 don't want to give any of these topics insufficient
13 time for discussion -- and I am so sorry, Scott.
14 Scott's not going to like this.

15 I think what we need to do is we need to
16 convene the CAC and we need to do it at the
17 convenience of all those involved by phone. We have
18 to have a full meeting of the CAC. We have to have
19 that final discussion. I want your idea, Charles, to
20 get full consideration and discussion because it
21 really needs that -- I don't want us to give only
22 five minutes to it -- and a discussion about other

1 working groups, which we really need to plan for, not
2 just on digital television, but on other issues that
3 the CAC is going to be considering over the life of
4 its term.

5 So that's what I would like to do. We
6 will plan that and we'll set up some sort of
7 communication where we can ask everyone what is a
8 convenient time, and we'll try and find a time that
9 meets everybody's schedules in the next two weeks,
10 because the immediacy of that does not depend on the
11 DTV transition date.

12 But I do want to give everybody fair time
13 to consider that.

14 MR. BENTON: Great, no problem. Let me
15 just add here one P.S. to all of that. On the
16 agenda, which is a very good agenda, it's terrific,
17 it says actually "Where we go from here, CAC's future
18 role on DTV, broadband outreach." This is my P.S.
19 It's my P.S. to the meeting. In addition to all the
20 DTV -- the stimulus plan right now has somewhere
21 between \$6 to \$9 billion in it for broadband reaching
22 to rural areas and reaching the underserved. We have

1 got to have this on our agenda. So we've got to
2 revive the Broadband Committee on focus on this.

3 While I understand the urgency of the DTV
4 transition and I am all for it, I think that this
5 broadband outreach piece is another one we should
6 talk about. So we should add that to the agenda as
7 well for the next couple of weeks, just to move the
8 discussion along.

9 CHAIRPERSON BERLYN: Absolutely, Charles.
10 And I anticipate we would have a working group on
11 that at our next CAC meeting, with a lot of time.

12 So what we need to do right now is, let's
13 complete action on these recommendations. Do we need
14 to do one more read-through?

15 MS. PELTZ STRAUSS: I just added a word.
16 I added in the first one -- we had said "publish and
17 update information on television broadcast stations,"
18 but in the list it's "distribute" also. So I added
19 "publish, distribute, and update."

20 So I can read all of them now if you're
21 ready.

22 CHAIRPERSON BERLYN: Yes. Marti?

1 MS. DONEGHY: Are we expected to vote
2 today on the recommendations as well, or are we just
3 listening to the read-through?

4 CHAIRPERSON BERLYN: I think we'd like to
5 vote at this point, because I think we should be
6 ready. We've had our discussion. If we can move
7 forward for a vote, I think we can do that, if we can
8 do that quickly.

9 MS. PELTZ STRAUSS: Yes, okay. Here we
10 go:

11 "The CAC proposes that the FCC develop a
12 specific plan for notifying consumers about stations
13 that decide to transition before the official analog
14 cutoff date. As part of this plan, and in order to
15 improve the digital television transition consumer
16 education, outreach, and adoption efforts, the FCC
17 shall:

18 "One, publish, distribute and update
19 information on television broadcast stations that
20 have commenced digital-only operations (i.e., have
21 turned off their analog channel). The CAC proposes
22 that this information be: one, published on the

1 FCC's web site; two, provided to the FCC's call
2 center; three, provided to the FCC and NTIA contract
3 recipients" -- or actually, "grant recipients" --
4 Contract? Okay, "contract recipients."

5 "Four, distributed to the members of the
6 CAC; and five, distributed to members of the DTV
7 Transition Coalition. At a minimum, such information
8 shall be published on a weekly basis" -- or actually,
9 "shall be published, distributed, and updated on a
10 weekly basis."

11 "Two, survey a sampling of the stations"
12 -- again, this is "FCC shall" -- survey a sampling of
13 the stations that have converted to all-digital TV
14 broadcasting and their viewers for the purpose of
15 collecting best practices and issues that warrant
16 greater attention.

17 "Three, work with broadcasters and other
18 stakeholders to coordinate education efforts on a
19 market by market basis;

20 "Four, if funds are available, consider
21 as one means of notifying consumers who may be using
22 over-the-air televisions about station transitions" -

1 - "about station transitions, direct mailings to
2 consumers." "If funds are available, consider as one
3 means of notifying consumers who may be using over-
4 the-air televisions" -- this doesn't make sense to
5 me; yes, I guess it's right.

6 -- "about station transitions, direct
7 mailings to consumers. Such mailings should be
8 identified as official government correspondence in a
9 manner that clearly distinguishes such mailings from
10 junk mail.

11 "Five, continue and expand efforts to
12 prevent and remedy to the extent possible potential
13 loss of television signal coverage.

14 "Six, make an extra effort to target DTV
15 funds to educate and assist populations that have
16 been identified by the FCC and the Nielsen Company in
17 its Analog-Digital Transition Readiness Report
18 (January 2009) as least prepared for the DTV
19 transition. In addition to the geographic areas
20 identified by the Nielsen survey, these include
21 African American and Hispanic populations" --
22 "African American and Hispanic populations, Native

1 American tribes, rural communities, non-English-
2 speaking individuals, low-income individuals, and
3 people with disabilities."

4 CHAIRPERSON BERLYN: Okay, thank you very
5 much, Karen. So we have the motion on the floor. Do
6 we have a second?

7 MR. ROESCH: Second.

8 CHAIRPERSON BERLYN: Any further
9 discussion?

10 (No response.)

11 CHAIRPERSON BERLYN: All those in favor
12 of the recommendation signify by saying aye.

13 (Chorus of ayes.)

14 CHAIRPERSON BERLYN: All those opposed?

15 (No response.)

16 CHAIRPERSON BERLYN: Any abstentions?

17 (Show of hands.)

18 CHAIRPERSON BERLYN: Two abstentions.

19 Okay, the recommendation is approved. Thank you.

20 Those are the recommendations for the CAC today, so
21 this is what we have at this point.

22 There are two things that you'll hear

1 from us about. One is setting up a task force. If
2 you could please -- I think what I will do is, in all
3 fairness to those who have had to leave early, I'll
4 send an email out to the full CAC and ask if you
5 would like to participate in the task force on
6 outreach. And you can just signify by communicating
7 back that you would like to participate, and we'll
8 set up a task force.

9 Then we'll try and set up a conference
10 call meeting. We may have a meeting in person here
11 and then have telephone access as well. We may do it
12 that way. We'll see, because there will probably be
13 a number of FCC staff involved in that.

14 The second thing is that we will have a
15 CAC meeting of the whole by conference call that
16 Scott and I will put together, and that will be to
17 finish the rest of the agenda from this meeting,
18 which is primarily to talk about the CAC going
19 forward and the establishment of working groups.

20 So we did get a document from Charles
21 because he did have a proposal and so you did get
22 that one. So you can take a look at that and be

1 prepared to discuss it on that conference call.
2 We'll set that up within the next two weeks, some
3 time before February 17th. Maybe we'll do it on
4 February 17th. That would be interesting.

5 So do we have any other business to
6 conduct?

7 (No response.)

8 CHAIRPERSON BERLYN: Do I have a -- oh,
9 yes. Gloria, go ahead.

10 MS. TRISTANI: May I thank you, Madam
11 Chair, for chairing this meeting and for permitting
12 us to vote and get our business done. Thank you for
13 your service.

14 CHAIRPERSON BERLYN: Well, thank you, and
15 thank everybody for all the work that you have put
16 into the CAC. This was the most productive first
17 meeting ever, don't you think? Nothing like it.

18 Motion to adjourn?

19 MR. STEPHENS: I make a motion to that we
20 suspend this conversation until the telephone meeting
21 next week or whenever you can schedule it, Madam
22 Chairman.

1 CHAIRPERSON BERLYN: Okay, thank you. I
2 have a sort of motion to adjourn. All those in
3 favor?

4 (Chorus of ayes.)

5 CHAIRPERSON BERLYN: All right, until the
6 next time. Thank you all.

7 (Whereupon, at 3:33 p.m., the meeting was
8 adjourned.)

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