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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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DEC 6 1996

Federal Communications Commission
Office of Secretary

In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the)
Existing Television Broadcast)
Service)

MM Docket 87-268

COMMENTS OF THE
NATIONAL ASSOCIATION OF BROADCASTERS

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By public notice,¹ the Commission has asked for comments on the agreement submitted to the Commission jointly signed by the Broadcasters' Caucus, the Consumer Electronics Manufacturers Association ("CEMA") and the Computer Industry Coalition on Advanced Television Service ("CICATS") with respect to a digital television ("DTV") standard.²

The National Association of Broadcasters ("NAB")³ fully supports both the substance and the intent of the submitted agreement and urges the Commission to move forward quickly to adopt a DTV standard by December 31, 1996, as recommended in the agreement. In supporting the core of the agreement, i.e., no FCC mandate of the picture format constraints, the broadcast industry is relying on the expectation that the marketplace certainty needed to successfully launch and maintain universal digital television service will be adequately provided by the combination of the standard for DTV transmission to be adopted by the FCC, the ATSC voluntary industry standards

¹ *Public Notice*: Technical Standards for Digital Television. MM Docket No. 87-268, FCC 96-465 released November 27, 1996.

² Letter to FCC Commissioner Susan Ness from Broadcasters Caucus, CEMA and CICATS, dated November 26, 1996.

³ NAB is a nonprofit, incorporated association of television and radio stations and networks which serves and represents the American broadcast industry.

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(developed as they were from the FCC Advisory Committee recommendations) and marketplace forces. NAB believes that this is a tremendous concession on the part of broadcasters, that it adds some risk to the DTV transition, but that it represents a worthwhile tradeoff -- provided that the agreement fulfills its intent to facilitate final expeditious adoption by the Commission of the recommended DTV standard.

The Commission now has a consensus position of broadcasters, consumer electronics manufacturers and the computer industry that it has sought. It must now follow through on mandating the other critical elements of the ATSC DTV Standard without further modification or delay.⁴ We agree wholeheartedly with Commissioner Ness' statement that "[r]apid adoption of the standard will benefit all parties" and that "the result [of the agreement] will bring profound benefits to American consumers and improve

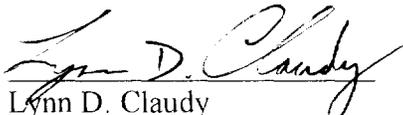
⁴ We note that while the Film Coalition did not sign the Agreement, the removal of picture formats (and consequently, aspect ratio) from the mandated portion of the standard satisfies one of the Film Coalition's two major requests as expressed in its Reply Comments to the *Fifth Notice of Proposed Rulemaking* in this proceeding. Indeed, as a technical matter, the standard, as recommended for adoption by the Commission, facilitates the transmission of pictures with any aspect ratio. However, the Film Coalition also seeks to "require the transmission to the audience, of the original aspect ratio of any motion picture" (*see* letter to the Honorable Vice President Albert Gore from the American Society of Cinematographers, et al. dated November 26, 1996). This is a matter of contractual negotiations between rights holders and distributors and we do not believe this subject should rightfully be addressed or regulated by the FCC.

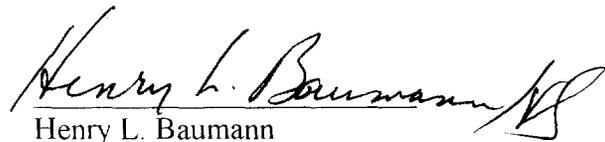
the global competitiveness of U.S. products.”⁵ We urge the Commission to act immediately to adopt a DTV Standard.

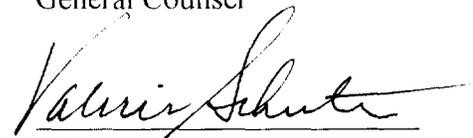
Respectfully submitted,

**NATIONAL ASSOCIATION OF
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December 6, 1996

⁵ News: Statement of Commissioner Susan Ness Regarding Agreement on DTV Standard, released November 25, 1996.