

SN/DS
MM 87-268

JUL 27 1997

Polaroid Corporation
Cambridge, Massachusetts 02139

Polaroid

DOCKET FILE COPY ORIGINAL

November 1, 1996

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RECEIVED
OFFICE OF
COMMISSIONER
SUSAN NESS
Nov 6 5 25 PM '96

Dear Commissioner Ness:

Polaroid is a US technology company with substantial expertise in the production of high quality images. Polaroid successfully engaged in a research project with MIT and developed a superior, high definition progressive studio camera. We have demonstrated that it is feasible to deploy all progressive high definition television. I hope that you were able to see our demonstration at the Commission; and, if not, we would be pleased to arrange another demonstration for you. We welcome and applaud your call for negotiations between interested parties to bring digital television to the American public.

Both standard definition and high definition progressive television have been tested and demonstrated. Unlike interlace, progressive produces a superior picture. Unlike interlace, progressive is a more efficient use of bandwidth, less expensive for the consumer, compatible with film and interoperable with computers. Progressive scan will be good for the American consumer and for American companies that have developed the technology and for the creative community that produces programming for the public. The current proposal before the Commission is flawed and would arrest the deployment of superior progressive scan technology. Accordingly, we are interested in a compromise that will remove interlace formats and bring progressive digital television to the American public without the albatross of sixty year old analog interlace technology.

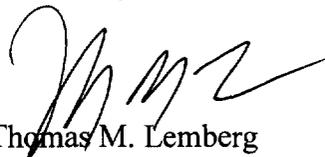
Of course, it is imperative that such a compromise be in the best interest of the public--including consumers--and not just in the interest of any one group--whether TV manufacturers, broadcasters, the computer industry or Hollywood. We are disappointed at the public stance taken by the National Association of Broadcasters because we believe that the public interest in advancing and not impeding progressive is strong and clear. (Indeed, without meaning to be presumptuous, we would have thought that an all progressive scan system is in the broadcasters' interest as well as that of the public.)

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Polaroid would certainly like to be of assistance in advancing this issue. If we could help in any way, please do not hesitate to let me know.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'T. M. Lemberg', written in a cursive style.

Thomas M. Lemberg
Senior Vice President, General Counsel
and Secretary
Polaroid Corporation

cc: Chairman Reed E. Hundt
Commissioner James Quello
Commissioner Rachelle Chong

File in MM Docket No. 87-268

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SN/DS

MM 87-268

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JUL 22 1996

901 - 15TH STREET, N.W.
WASHINGTON, D.C. 20005-2301
(202) 371-6000
FAX: (202) 371-6279

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20541

WRITER'S DIRECT DIAL
(202) 371-6206

October 30, 1996

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, DC 20054

Dear Commissioner Ness:

On behalf of consumer electronics manufacturers having a strong interest in the Commission's proposed adoption of the ATSC DTV broadcast transmission standard, we are responding to your October 24, 1996 letter encouraging interested parties to discuss their differences in an attempt to develop a recommended solution by November 25, 1996.

Consumer electronics manufacturers appreciate the leadership role you are playing in facilitating and accelerating the transition from analog to digital television. They share your objective of Commission adoption this year of a standard that best serves the American public.

To that end, consumer electronics manufacturers are prepared to meet with representatives of the broadcast, computer and film industries to discuss our respective views and to work in good faith to resolve differences where at all possible. Indeed, the first discussions are tentatively scheduled to take place on November 4 and 6, 1996. The consumer electronics manufacturers are committed to working diligently and intensively so that these discussions can be concluded within the time frame specified in your letter.

For your information, the principal representatives of consumer electronics manufacturers in these discussions will be: Dr. Peter Bingham, Philips Electronics; Bruce Allan, Thomson Consumer Electronics, Inc.; Glenn Reitmeier, David Sarnoff Research Center; Robert Rast, General Instruments; and Gary Shapiro, CEMA. Our firm will be serving as counsel to this delegation.

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Commissioner Susan Ness
October 30, 1996
Page Two

Again, we commend you for the initiative you have undertaken.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence R. Sidman".

Lawrence R. Sidman

LRS/rkk

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October 28, 1996

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, N.W. Room 832
Washington, D.C. 20554

Dear Commissioner Ness,

For nearly a decade, the television broadcast industry has been working to develop the next generation of free, over-the-air broadcast television. With Congressional and Federal Communications Commission support, the broadcast and television set manufacturing industries spent \$500,000,000 developing the most advanced digital television system in the world. The FCC's Advisory Committee on advanced television presented the system to the FCC nearly ten months ago. Free, over-the-air digital television is ready to go.

The FCC must adopt the ATSC-DTV digital television transmission standard. Without it there will be no free, over-the-air digital television. Television is an open system. KTXL has no control over television receivers, and set manufacturers have no control over the KTXL signal. Set manufacturers will not build new digital sets unless they know what type transmission system broadcasters will use. And stations will not invest tens of millions of dollars for new digital equipment unless television sets can receive the new digital signal. This "chicken and egg" problem leads to economic paralysis.

The computer industry is now trying to derail nearly a decade of work at the last minute. It's urging the government not to set a transmission standard for digital television. At the same time, the computer industry is seeking to change the standard to fit its own business plan while ignoring the needs of television viewers across the country.

Adopting the computer industry's so-called "baseline" approach will doom free, over-the-air digital television in America. It will send digital television back to the drawing board wiping out years of effort. Because all of the FCC's proposed digital channels are based on the ATSC-DTV standard, the entire table of digital allotments will have to be reworked. Any delay will have significant negative consequences for America.

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It would delay the time when the government can reclaim and subsequently auction broadcast spectrum.

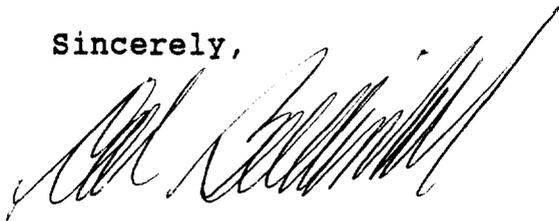
It will destroy true High Definition Television. The interlaced formats in the ATSC-DTV standard are essential for broadcasting sporting events. The computer industry wants this option eliminated. If high definition is not available, many consumers may decide not to purchase digital sets.

It will cost consumers billions. The computer industry's plan calls for basic monitors that will receive digital signals. If you want better quality pictures or formats, you will have to buy additional software.

Today KTXL must survive in a very competitive marketplace. Direct satellite services, cable television and telephone video services are quickly shifting to digital transmissions. Unless KTXL shifts to digital broadcasting, it simply will not survive.

I urge you to reject this attempt to undermine free, over-the-air digital television. The computer and cable industries have been part of the process from the beginning. Their concerns have been evaluated by the best engineers in America and in many cases, the needs of the computer and cable industries have been accommodated and incorporated into the ATSC-DTV standard. The time has come to move forward. The government should adopt the ATSC-DTV broadcast transmission standard as soon as possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cal Bollwinkel', written in a cursive style.

Cal Bollwinkel
Executive Producer

SN/DS

WGTW-TV 48 3900 MAIN STREET, PHILADELPHIA, PA 19127

A Brunson Communications, Inc. Co

MM 87-268

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JUL 22 1997



PHILADELPHIA BURLINGTON

October 30, 1996

Mr. Robert Johnson, Chairman CEO
BET Holdings Inc.
1900 W Place NE
Washington, DC 20018

RE: Digital Television Proceeding "DTV"

Dear Mr. Johnson:

I am in receipt of your October 15th letter and have shared it with the Board Members of "ABOTS", (Association of Black Owned Television Stations). Neither they, nor I, can comprehend the logic, or motivation, which persuaded you to support the change of position by the FCC on Digital Television "DTV". A position we believe, if maintained, will destroy minority ownership, as well as, ownership of other small TV station operators.

The fact that only 37 TV stations are owned by minorities, 27 Blacks, 9 Hispanics and one Asian out of 1,221 is an indictment of the process in which we have been allowed to participate. To acerbate that process, by putting us in direct competition with the mega broadcast groups as bidders, is naive and ridiculous. Not to mention the fact that the 15 to 20 low power black TV operators would be excluded totally from the process. They have less financial resource than we who are full power station operators.

In spite of the fact that you believe that private operators would "profit handsomely" from DTV, the truth remains, like FM Radio, which I was an intricate part of, it will take years perhaps as many as ten to fifteen before the public will accept DTV as a standard for their TV viewing. During that time, we, the 37 minorities will have to sustain ourselves while competing in an ever increasing and growing media marketplace. We must pay our bills, survive competition and spend technology dollars to create and be a part of a new medium. A process that is financially awesome for larger companies much less the smaller ones such as ourselves.

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SUSAN HERSH

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PHONE: (215) 930-0482

FAX: (215) 930-0496

WGTW-TV 48 3900 MAIN STREET, PHILADELPHIA, PA 19127

A Brunson Communications, Inc. Co



In that regard, without the opportunity to have access to DTV at no cost, broadcasters such as myself and others who are members of ABOTS would be out of business. Unlike BET which has as partners, large conglomerates, we have forged our companies by our bootstrap . We do not have the capital or access to capital to make even a "nominal down payment" as bidders when those whom we must bid against are giant corporations.

Even with your proposal that the FCC once again established minority preferences for the purpose of this action, you know as well as we, that minority preferences, set aside and any other minority consideration will take years to achieve, if ever. By that time, most of us would be out of business. Therefore, to present this concept is to endorse in one stroke, the elimination of the very diversity you dare to cavalierly speak of.

Your desire to assist Congress to raise funds is admirable. Perhaps you should have read my testimony on behalf of ABOTS regarding tax certificates. In that testimony, I evidenced cases where Congress could save billions of dollars by eliminating oil depletion allowances, farm and dairy subsidies, and military spending, to name a few. Congress does not need to raise capital by killing an industry and the future of TV technology. As we seek to make DTV work we must experiment with its growth. This will take time and money. How can we at ABOTS do both-buy the spectrum and fund the technology while waiting 10-15 years for our return? It cannot be done if we have to borrow money and bid in an auction process.

ABOTS will not join you on this issue. We are making our own presentation to the Black Caucus and other leaders in this country to plead our case.

ABOTS wants DTV with special consideration for Low Power operators. Your position on this matter is therefore not ours. And you cannot be allowed to speak for us.

Yours truly,

Dorothy E. Brunson
President/General Manager

DB/bv

Newspoints

NATIONAL NEWS

Changing frequencies

Minority ownership of U.S. radio and TV stations remains stagnant

The telecommunications industry accounted for approximately \$680 billion worth of revenue in 1995, and is expected to double its impact in the next decade. But minority ownership of commercial broadcast stations is an alarmingly low 2.9%, according to an annual Commerce Department report.

Worse yet, African American ownership of television and radio stations was 1.8% or 203 outlets nationwide, only a moderate increase from the 193 or 1.7% of outlets owned by blacks in 1994.

So while controlling the access and flow of information has become increasingly vital to business success, African Americans continue to be shut out of that crucial loop. With 80 million minorities in America, ownership of a mere 330 stations of the 11,412 that exist nationwide is definitely cause for concern.

"That we own less than 3% of the established tools in the information age does not bode well for minority communities," says Larry Irving, assistant secretary of commerce for communications and information, who helped prepare the report. "These numbers are not getting any better and if we don't start taking action now, it'll be too late—not just for opportunity in mature industries but also in new technologies."

The report cites limited access to capital as the most significant reason for the low ownership figure. While researchers found that communities with black-owned banks tend to have more minority-owned media outlets, they hesitated to say these banks necessarily lend money to black broadcasting owners. Rather, they noted that the presence of a black-owned bank usually indicates a network of black financial institutions in the region, and thus greater networking opportunities for those looking to become owners of communications outlets.

Other key factors are the elimination of minority ownership policies and subsequent telecommunications reform. Last year, Congress put an end to a tax certificate program established in 1978 that had allowed owners who sold their radio or television stations to a minority buyer to defer their tax payment on any capital gain. Without that financial incentive, the current telecommunications reform has led to consolidation in the commercial broadcasting industry. As a result, many smaller companies have been squeezed out.

"I don't think there is any policy in the current adminis-

tration to help minorities in the broadcast field," says W. Don Cornwell, chairman and CEO of Granite Broadcasting (No. 9 on the **BE INDUSTRIAL/SERVICE 100** list). "If my company was trying to start up now—without the tax certificate—we would never be able to duplicate our current financial success."

The 1995 telecommunications bill also loosened restrictions on the number of communication outlets one company could own. Where before companies could own only two or three radio broadcast stations in an area, they can now own up to eight in some markets.

INDUSTRY TOTALS	BLACK	HISPANIC	ASIAN	NATIVE AMERICAN	MINORITY TOTALS
AM Stations 4,906	99	72	2	2	175
	2.0%	1.5%	.04%	.04%	3.6%
FM Stations 1,221	77	34	3	4	118
	1.5%	.84%	.06%	.06%	2.2%
TV Stations 1,221	27	9	1	0	37
	2.2%	.74%	.08%	0%	3.0%
Cumulative Totals 11,412	203	115	6	6	330
	1.8%	1.0%	.05%	.05%	2.9%

Source: *Minority Commercial Broadcast Ownership in the United States*, U.S. Department of Commerce, 1996

"Large white companies have bought up some of the largest black broadcasters in the country, and that's a problem," says Lois E. Wright, vice president of Inner City Broadcasting and Corporate Counsel in New York. While the music and entertainment programming of the station may not change under the new management, editorial policies probably will, she explains. "When it comes to getting your message through at critical political times, you can't rely on stations. They are not going to welcome a Jesse Jackson or Al Sharpton from our communities."

Entrepreneurs interested in commercial broadcast ownership are encouraged to look at majority/minority partnering. Meanwhile, the Minority Telecommunications Development Program has an online resource center that can be accessed at <http://www.ntia.doc.gov> through the National Telecommunications and Information Administration's homepage.

—Paula M. White



Robert L. Johnson
Chairman
CEO

October 15, 1996

Ms. Dorothy Brunson
President and CEO
Brunson Communications
c/o ABOTS
3900 Main Street
Philadelphia, PA 19127

Re: Digital Television Proceeding ("DTV")

Dear Ms. Brunson:

The Telecommunications Act of 1996 (the "96 Act") requires that the Federal Communications Commission (the "Commission" or "FCC") award licenses for advanced digital television services only to persons currently licensed to operate television broadcast stations. As a result, the Commission announced a plan to award DTV licenses only to "full powered" television broadcast stations "free of charge". FCC Chairman Reed Hundt has said that the Commission's proposed plan would be "the biggest single gift of public property to any industry in this century".

I am asking members of the Congressional Black Caucus and others to join me in urging Congress to give the FCC authority to auction the new DTV licenses. At a time when the federal government is reducing spending and considering even more dramatic spending cuts in important social programs, Congress and the FCC should not award, without compensation public spectrum worth billions of dollars to private owners who stand to profit handsomely. FCC economists have estimated the value of the licenses to be as much as \$90 billion which can be put to many uses in addition to reducing the national debt, such as educating and training people trying to move from welfare-to-work, research and development, rebuilding our infrastructure, retraining displaced workers, and providing educational and small business loans.

Moreover, in order to ensure that minority owned businesses have a fair opportunity to acquire DTV licenses, I propose that the FCC once again establish minority preferences for the action process which would include -- at a minimum -- bidding credits, favorable down payment terms, and favorable bid payment terms, similar to those previously employed by the FCC for PCS auctions. I note that in the US Supreme Court's 1995 decision of Adarand Construction v. Pena all minority preferences must meet the Court's most rigorous test in order to be found

BET Holdings, Inc.

One BET Plaza

1900 W Place NE Washington DC 20018-1211
(202) 608-2442 Fax (202) 608-2593

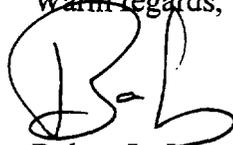
constitutional. But the *Adarand* decision did not prohibit minority preferences altogether. I am confident that carefully drafted minority preferences, properly substantiated by empirical evidence available to the FCC, can meet this "strict scrutiny" test. In fact, a much stronger case can be made for minority preferences in the context of television licenses -- where the licensee exercises editorial and programming control over the material.

If minority preferences are challenged and found to be unconstitutional, then the FCC should be prepared to establish small business preferences as an alternative or additional measure. Given that many minority businesses are small business, these preferences would serve as a possible, albeit less direct means to enhance minority ownership of television stations.

Congress and the country have an historic opportunity both to raise desperately needed revenue for the country and to increase diversity of ownership in the television broadcast industry, and we cannot afford to let this opportunity pass.

I sincerely hope that your organization will join me in this important legislative initiative, by allowing me to use your name and organization on a petition endorsing my call for Congress to give the FCC authority to auction the new DTV licenses with minority and/or small business preferences. I also hope that you will join me at a press conference announcing that the petition has been presented to President Clinton and Vice President Gore seeking their support in moving Congress to act expeditiously with respect to this matter. Please call Celeste M. Moy at (202) 608-2072 in our legal department with your prompt response. Thank you in advance for your support.

Warm regards,

A handwritten signature in black ink, appearing to read 'RLJ', written over a horizontal line.

Robert L. Johnson

Attachment

RLJ/dhk



FOX BROADCASTING COMPANY
A UNIT OF FOX TELEVISION

MM 87-268

5151 Wisconsin Avenue NW
Washington, DC 20016
Phone 202 895 3190 • Fax 202 895 3193

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JUL 23 1997

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GENERAL INVESTIGATIVE
DIVISION

Preston Padden
President
Network Distribution

February 27, 1996

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, NW - Room 832
Washington, DC 20554

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OFFICE OF
COMMISSIONER
SUSAN NESS
FEB 27 11 29 AM '96

Dear Commissioner Ness:

In your February 16, 1996 speech to the Oklahoma Broadcasters Association, you stated that you "would prefer to raise ownership limits directly, rather than allowing them to be circumvented through various kinds of non-attributable 'alliances.'" The implication of this sentence is that non-attributable ownership interests have as their purpose circumvention of the Commission's ownership rules, as opposed to legitimate business objectives.

Because you have expressed similar concerns in connection with several recent transactions approved by the Commission, including FOX's passive investment in the four SF Broadcasting stations, we thought it would be helpful to you if we pointed out the practical realities of FOX's relationship with SF Broadcasting. The fact is that our investment confers on us neither control nor indeed even meaningful influence.

First, on the day following the Commission's approval of the WLUK-TV, Green Bay, WI, transfer to SF Broadcasting of Wisconsin, Inc., FOX was forced by the Savoy principals to accept numerous changes in our customary form of affiliation agreement as a condition of closing the transaction. A close comparison of the WLUK-TV affiliation agreement and other FOX affiliation agreements on file with the Commission will demonstrate that FOX has less -- rather than more -- network influence over WLUK-TV as compared to FOX affiliates in which we have no investment. By the way, the same is true with regard to the New World stations in which FOX also has a passive non-attributable interest.

But, the most compelling proof of our non-control and non-influence with regard to the SF Broadcasting stations was presented by the transfer of control of the Savoy parent entity. On Monday morning, November 27, 1995, I walked to the end of my

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The Honorable Susan Ness

February 27, 1996

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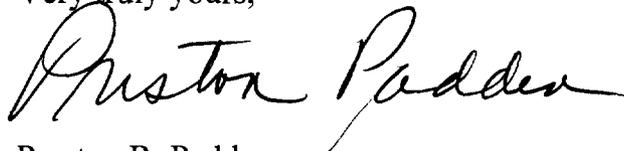
driveway at 6:00AM and picked up *The Wall Street Journal* and the *New York Times*. Sitting down with my coffee, I read that the Savoy parent entity had been sold to Barry Diller's Silver King Communications, Inc. Now, Mr. Diller's contributions to FOX and our respect and admiration for him are well known. However, he is currently in the process of building television enterprises intended to be competitive with FOX. If we were in a position to control, or even have influence over, the SF stations, we would not have chosen a competitive business entity to acquire ownership control. Even more compelling proof of our lack of control or influence was the fact that we first learned of this transaction when it was reported in the newspaper. Without meaning to put too fine a point on it -- this company, which NBC claimed to be a rule circumventing surrogate for FOX, was sold to a competitor of ours and (1) we did not control the sale; (2) we were not consulted about the sale; and (3) we were not told about the sale.

As we have explained to you before, FOX's minority non-voting investments in SF, New World and Blackstar were driven by one factor alone -- the provision in our affiliation agreements which allows us to upgrade our distribution system -- a provision that was the product of negotiations with our affiliates several years ago in reliance on well-established Commission rules and precedent. Yet, based on the grousing of certain of our competitors who have achieved similar long-term affiliation arrangements through massive payments to their affiliates, you have questioned and imposed conditions on numerous legitimate business transactions. Furthermore, although you have made a distinction between local and national restrictions -- indicating that your concern flows from the "diversity issues [that] arise more in the local marketplace" -- you expressed concern with the SF Broadcasting and Blackstar transactions notwithstanding the fact that FOX has no other ownership interest whatsoever in any of the SF or Blackstar markets.

It is our fervent hope that these facts will bear more heavily on your deliberations than will the scurrilous innuendo from our competitors.

We look forward to having the opportunity to discuss these matters further.

Very truly yours,

A handwritten signature in black ink that reads "Preston Padden". The signature is written in a cursive, flowing style with a long, sweeping tail on the final letter.

Preston R. Padden

MM 87-268

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JUL 22 1997

P.O. Box 11009
Odessa, Texas 79760

Ph. (915) 580-0024
FAX (915) 337-3707
FAX (915) 337-6306



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Odessa/Midland

23 February 1995

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OFFICE OF
COMMISSIONER
SUSAN NESS
FEB 29 4 28 PM '96

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W. Suite 832
Washington, D.C. 20554

Madam:

Since its birth as an industry, some forty years ago, free, over-the-air television has contributed billions of dollars in free air-time in the public interest that telephone and cable companies simply have not.

For the last eight years the free broadcast television industry has made financial projections and plans predicated on the promise of the FCC to grant spectrum to broadcasters without further cost. For the FCC to fail to honor this long-standing promise due to last minute political pressure based on a "perception" of a "corporate giveaway" which is neither prudent nor true, would be a "true sellout" only on the government's part and at the expense and possible survival of free television as we know it. To insure the healthy competition of free over the air television and the myriad benefits that it brings to the consumer, it is critical that the FCC honor this promise.

Commercial broadcasters are facing billions of dollars in capital expenditures related to the conversion to "digital" which are already especially threatening to the survival of locally owned, privately-held television operations.

I submit that as an industry, FOX, ABC, NBC, and CBS have more than paid as networks as have their affiliates, and other independent television stations. For them to receive spectrum at this point in history is really small payback for the investment, free television has faithfully made in public service air-time alone throughout the last four decades.

Please give these arguments your fullest consideration when deciding on this extremely crucial situation. A truly competitive future marketplace and free television as we know it could very well depend on it.

Sincerely,


James M. Beaghtey, Sr.
General Manager
KPEJ FOX 24


23 of Odessa Midland
07/26/97

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SUSAN NESS

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800 Larkwood Dr NE
Cullman, AL 35055

October 8, 1996

MM 87-268

Commissioner Susan Ness
Federal Communications Commission
1919 M Street NW
Washington, DC 20554

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Dear Commissioner Ness:

From personnel at our local TV station, news has come that the Federal Communication Commission intends to take channels from the low-power stations and give them to the larger, full-power stations. Then the larger stations can obtain the to channels needed to convert to "Digital Television".

Our local TV 52 is low-power, but performs well in broadcasting civic programs, policies, local news, and other items of wide-spread interest to the city and the surrounding counties in this North Alabama area. The FCC estimates that about 35 to 45% of these stations lose their channels, and hence their licenses, to the high-powered stations in this shift to digital television.

Please exert influence, if possible, to get the FCC working on providing the needed channels by both the small and the large stations

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Sincerely
William F. Jenkins
An interested citizen

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SW/DS

DEPARTMENT OF ELECTRICAL ENGINEERING AND COMPUTER SCIENCE

MASSACHUSETTS INSTITUTE OF TECHNOLOGY
CAMBRIDGE, MASSACHUSETTS 02139

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SUSAN NESS

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JUN 20 1997

November 1, 1996

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, DC 20006

Dear Commissioner Ness,

I have represented the Massachusetts Institute of Technology within the Grand Alliance since its formation as one of the four finalist system proponents. Because of MIT's technical expertise and extensive participation in this digital television standardization process, I believe we can play a positive role and would like to participate in the discussions to which you recently extended a number of invitations.

More specifically, if your letter regarding the DTV standard was intended to provide representation for some Grand Alliance members that have ties to television manufacturers, I would like to request that MIT also be represented, since it is the only finalist-system proponent in the Grand Alliance not already strongly coupled to the television (or any other) manufacturing community.

Thank you very much for your consideration of this matter. Because meetings are now being scheduled, I would very much appreciate an early response.

Sincerely,

Jae S. Lim
Professor of Electrical Engineering
Director of Advanced Telecommunications
Research Program

JSL/cl

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November 5, 1996

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JUL 21 1997

BY HAND

The Honorable Susan Ness
Commissioner
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

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COMMISSIONER
SUSAN NESS
NOV 5 4 04 PM '96

Dear Commissioner Ness:

In response to your October 24 letter, we write to inform you that yesterday we held a first organizational and agenda-setting meeting among representatives of the Broadcasters Caucus, Film Coalition, computer, and consumer equipment manufacturing industries. We agree that such discussions are appropriate, and we hope that they prove fruitful in addressing the interests of the parties and the public and in enabling the Commission to move forward on this issue by the end of the year. As requested, we will report back to you on November 25 on the outcome of our efforts -- reaching consensus, narrowing the issues, or concluding that neither result is possible.

Because we are committed to serious discussions, we have agreed to a "gag" rule that prohibits participants from communicating the substance or progress of the discussions with the press or government officials or in other public forums.

Sincerely,

Jeffrey Campbell
Jeffrey A. Campbell
CICATS

Gary Shapiro
Gary Shapiro
CEMA

Michael Sherlock
Michael Sherlock
Broadcasters Caucus

Larry Chemikoff
Larry Chemikoff
Film Coalition

cc: Chairman Reed E. Hundt
Commissioner James H. Quello
Commissioner Rachelle B. Chong
Mr. William Caton

Docket No. 87-268

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