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January 15, 1998

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

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Re: **Ex Parte Notice**
In the Matter of Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service
MM Docket No. 87-268

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Ms. Salas:

The Association for Maximum Service Television ("MSTV") hereby notifies the Commission that MSTV representatives (Victor Tawil, Jonathan Blake and Ellen Goodman) met with Roy Stewart, Chief of the Mass Media Bureau, and with Keith Larson, Renee Licht, Marsha McBride, and Robert Ratcliffe of the Mass Media Bureau on January 14, 1998. At the meeting, MSTV outlined DTV implementation issues (all previously outlined in this proceeding) that it believes should be clarified or addressed in the DTV proceeding: (1) the adoption of a de minimis interference standard for power increases and minor facility changes; (2) the adoption of changes to the DTV Table to remedy systemic problems; (3) the establishment of DTV coordinating committees; and (4) the establishment of the principle that, to the extent possible, auction winners will compensate stations for the costs of moving their facilities onto an in-core channel at the end of the transition to DTV.

Most of the conversation centered on the need for neutral coordinating committees to assist the Commission in processing DTV applications. A large group of broadcasters have supported the creation of such committees in numerous filings in this docket. The most thorough treatment of this subject was in the Broadcasters Caucus Petition for Further Notice of Proposed Rulemaking (January 10, 1997) filed in this docket and signed by 11 major broadcast groups.^{1/} MSTV made clear that the committees envisioned by the Broadcasters Caucus and by a larger group of broadcasters in the Joint Broadcasters June 13 petition for clarification and partial reconsideration would be composed of technical experts that applied the

^{1/} MSTV, NAB, ALTV, APTS, ABC, CBS, Chris Craft, Fox, NBC, PBS, and Tribune.

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FCC's methodology to determine the impact of proposed facility changes or channel moves submitted to them. The committees would be neutral and scientific bodies and their members would be approved by the FCC. They would not have any decisionmaking authority, but would merely apprise licensees of the coverage and interference effects of one or more changes to the DTV Table's specifications. Licensees could then use the information to modify their proposals, submit their proposals as-is, or ignore the information entirely. In any case, the Commission would retain the authority to act on the application. MSTV reiterated that the DTV Memorandum Opinion and Order should state that the Commission will establish such neutral coordinating committees. The details of how the committees should function and be constituted could be worked out through a subsequent notice of proposed rulemaking (for which MSTV and other broadcasters petitioned in January 1997) or other vehicle.

Any questions with respect to this matter should be directed to the undersigned.

Respectfully submitted,



Ellen P. Goodman
Attorney for the
Association for Maximum Service
Television, Inc.

Enclosure

cc: Chairman Kennard
Commissioner Ness
Commissioner Powell
Commissioner Furchtgott-Roth
Commissioner Tristani
Mr. Stewart
Mr. Larson
Ms. Licht
Ms. McBride
Mr. Ratcliffe
Mr. Franca

January 13, 1998

MEMORANDUM

Re: Outstanding DTV Processing Issues

The following issues were identified in MSTV's petition for reconsideration and amplified in subsequent filings. MSTV urged the FCC to:

- Ease the procedure for inter-market channel changes.
- Take affirmative steps to establish DTV coordinating committees.
- Establish a procedure to compensate broadcasters for relocation to the core spectrum.
- Include 2-6 in the core.
- Adjust the 5 km rule to account for interference, i.e., adopt a de minimis standard for minor facility changes.
- Clarify whether the protected contour for stations subject to the maximum and minimum power levels is the Grade B or the DTV contour.
- Clarify the rules regarding DTV channel and facility changes (including the need for stations to apply for new channels due to border problems).
- Clarify the rules regarding the calculation of power and antenna height for existing licensees seeking channel or facility changes.
- Clarify the rules regarding processing problems due to coordination with Canada and Mexico.
- Clarify the rules regarding protection for unbuilt or partially constructed stations.
- Adopt minimum receiver standards or require periodic updates on the development of low noise-figure tuners.

Jon Blake and Ellen Goodman