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Before the
Federal Communications Commission
Washington, D.C. 20554

DISP In the Matter of)

Advanced Television Systems)
and Their Impact upon the)
Existing Television Broadcast)
Service)

MM Docket No. 87-268

ERRATUM

Adopted: March 10, 1998

Released: March 10, 1998

By the Chief, Mass Media Bureau:

1. On February 23, 1998, the Commission released the *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order* in the digital television proceeding ("*Service Rules MO&O*").¹ The *Service Rules MO&O* was released simultaneously with the *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order (DTV Allotment MO&O)*, which addressed petitions to reconsider the DTV Table of Allotments and other technical issues.²

2. Commissioner Ness issued a separate statement pertaining to both *MO&Os*. The statement was included with the *DTV Allotment MO&O* but was inadvertently left off the released copies of the *Service Rules MO&O*. We now formally incorporate this previously released separate statement with the *Service Rules MO&O* and include it with this *Erratum*. Additionally, we include voting information, which was inadvertently left off the first page of the *Service Rules MO&O*. Further releases of the document will reflect this correction.

3. Accordingly, IT IS ORDERED that the separate statement of Commissioner Ness included with the *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order* IS ALSO INCORPORATED with the *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order*.

FEDERAL COMMUNICATIONS COMMISSION


Roy J. Stewart
Chief, Mass Media Bureau

¹ *Memorandum Opinion and Order on Reconsideration of the Fifth Report and Order* in MM Docket No. 87-268, FCC 98-23 (released February 23, 1998).

² *Memorandum Opinion and Order on Reconsideration of the Sixth Report and Order* in MM Docket No. 87-268, FCC 98-24 (released February 23, 1998).

February 18, 1998

**Separate Statement
of
Commissioner Susan Ness**

Re: Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service

Today we complete the final adjustments to our plan governing digital and high definition broadcasting. Through multiple rounds of public comment and consideration we have adopted the DTV transmission standard, service and application rules, technical requirements for station operations, and channel allotments and assignments for existing broadcasters.

Our rules have been carefully crafted to provide the strongest possible base for the transition from analog to digital television. My concern remains focused on ensuring that consumers reap the benefits of a markedly improved broadcast television service.

The stakeholders -- broadcasters, programmers, advertisers, equipment manufacturers, computer hardware and software providers, cable television and broadcast satellite operators -- now will determine what products and services are delivered to the American public.

Our decisions today strengthen the ability of broadcasters to build their stations and initiate service promptly. We have reconfigured the allotment table and have allowed UHF broadcasters to increase their power and use tilt beam antennas to reduce the disparity in power levels between UHF and VHF stations. These measures will ensure that UHF broadcast licensees can provide good coverage throughout their service areas, including reception inside buildings.

We have streamlined procedures so that broadcasters easily can move their transmitters within specified areas and upgrade where interference is *de minimus*. And we have preserved low power and translator stations where feasible. We also have addressed an engineering obstacle that surfaced after issuance of our original Table of Allotments last April -- the problem of adjacent channel interference. To reduce the likelihood of interference, we expanded the definition of "core spectrum" (or final spectrum for digital broadcasting) to include channels 2-51.

Expanding the Core

Having previously cited the benefits to the American public of repacking the digital channels, and reauctioning as much spectrum as possible after completion of the digital transition, I write separately to highlight my reasons for approving expansion of the "core" spectrum. By

including an additional five channels within the "core," we provide greater flexibility, particularly in the populated areas of the country. This permits us to minimize the problem of adjacent channel interference so that the consumer receives the clearest signal possible.

The consumer reaps other benefits from expanding the core. By adding 30 megahertz to the core spectrum, we permit about 500 existing low power and translator stations to continue their operations. These stations otherwise might have been displaced during the transition. We also eliminate the need for about 120 stations to make a costly second move of their digital channel at the end of the transition period. And rural consumers will continue to receive service from the translators that otherwise were in jeopardy of being shuttered, as well as from stations operating in the lower VHF channels 2-6 which, for scientific propagation reasons, better serve rural and hilly regions. An additional benefit of expanding the core is adding channels throughout the country, including in major markets, which could increase the diversity of broadcast ownership.

Finally, concerns were raised that by expanding the core we would lessen the revenue to the government from later auctions. This is not the case. Our decision today will result in approximately 175 additional digital channels within the expanded core, including some in major markets that will be extremely valuable. When we made our decisions last April we did not have authority to auction these channels. In July Congress authorized us to assign broadcast channels by auction, and we intend to do so. These auctions should generate significant proceeds, and as a result I believe that expanding the core will not result in any discernible diminution to the expected revenue when the spectrum is recovered at the end of the transition from analog to digital broadcasting.

Conclusion

The cumulative impact of our DTV decisions will be to provide the maximum opportunity for a robust and successful transition to digital service; to preserve significant numbers of low power and translator stations that otherwise would have had to go dark at some point during the transition; to create additional channels for new entrants into digital broadcasting or other digital data services; and to ensure adequate reception of UHF digital signals. For these reasons, I support the changes and decisions made in these two reconsideration orders.