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Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Review of the Commission's)
Rules and Policies)
Affecting the Conversion)
To Digital Television)
)

MM Docket No. 00-39

COMMENTS OF

The International Brotherhood of Electrical Workers (IBEW)

The International Brotherhood of Electrical Workers respectfully files the following comments in response to the Commission's the Notice of Proposed Rulemaking ("NPRM") released March 8, 2000, in the above captioned proceeding.

The NPRM's questions concerning the digital television (DTV) transmission standard follow the FCC's rejection of the petition filed by Sinclair Broadcasting which sought to modify the existing transmission standard to include the foreign-developed COFDM modulation system.

We believe any delays in instituting the decided upon digital 8-VSB standard would be both counterproductive and costly. After your Commission carefully selected the digital standard more than three years ago, our industries began the process of staking our futures on 8-VSB. Backtracking now would be neither wise nor prudent.

Even the recent limited debate about DTV has served to slow the achievement of our collective goal. Uncertainty fostered by Sinclair and certain other broadcasters has slowed the digital transition. Fear of the possibility of a change in the standard has slowed DTV sales as well as the production of digital programming being produced for viewers.

It is important to note that the transition is already well underway. Nearly two-thirds of American viewers can now receive the 8-VSB signal. Programming is increasing and sales of DTVs and DTV receivers are growing rapidly. But these gains are less than what they should be at this juncture in the transition. The collective hesitation at this critical moment is retarding the digital transition.

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Our union represents thousands of workers who are and will be affected by issues surrounding digital television. Our members include men and women who are employed by local stations, the networks, Hollywood studios, and consumer electronics manufacturers. Their future well being is inextricably linked to the success of digital television. Any interruption, delay or rearrangement by the FCC in the current transmission standard could adversely affect the lives of our members.

Objective, comprehensive and well-conceived field tests conducted by CBS and others have yielded favorable test results, which overwhelmingly endorse 8-VSB. Results show that 8-VSB already outperforms the existing analog signal and exceeds the range of COFDM transmitters. In addition, it is our contention that the OET study conducted at the behest of the FCC in October of 1999 confirms that 8-VSB is the superior approach to modulation. The motivations of Sinclair and its allies who advocate modifying the standard to include COFDM have been and continue to be suspect, based upon shifting business models which have more to do with e-commerce than with meeting their obligations to deliver high-definition television to American viewers.

As an organization whose working members depend on the success of the television industry, we respectfully draw your attention once more to the Commission's own considered judgment in adopting 8-VSB in the first place. After an exhaustive process that took years and thousands of volunteers to complete, the Commission chose the actual modulation, fully aware of the multipath issues. The decision was intended to ensure the fullest replication possible of current analog signals throughout the country.

I urge the Commission to stay the course and not allow the waters to be muddied by those who would forsake the goal of implementing digital television for personal gain. Moreover, we call on the Commission to encourage further improvements of 8-VSB receivers, while rejecting any future attempts to undermine the current standard or delay its implementation.

Those who have advocated the adoption of COFDM have come up with a variety of test results and demonstrations for the sole purpose of casting doubt on VSB. Their further claims about the superiority of COFDM in terms of hypothetical services, such as mobile broadcasting are simply an effort to avoid the criteria which caused 8-VSB to be chosen over COFDM in the first place; replication of existing analog coverage. As the Commission well knows, the existing standard was selected based on proven performance. COFDM advocates are merely trying to change the goal post to install confusion and delay in the implementation of the commission's decision to complete the transition to digital television.

We opposed the Sinclair petition, and thus we object to any similar effort to undermine the implementation of the current transmission standard. We believe that 8-VSB is a viable technology for modulation which has experienced noticeable improvements and in fact has yielded favorable results in urban environments.

VSB is a viable technology for modulation which has experienced noticeable improvements and in fact has yielded favorable results in urban environments.

We agree with the assessment in your rejection of the Sinclair petition that the existing standard is not flawed, and that the current difficulties will be best addressed through the improvement of 8-VSB receivers. The problems of reception associated with 8-VSB are diminishing rapidly in the 2nd and 3rd generation receivers utilizing enhanced chip technology. I am confident that the concerns over reception issues will decline in importance as receiver performance continues to improve significantly.

The FCC must surely realize that to reject the current standard and to embark upon a new one including COFDM modulation would take years to get off the ground. Indeed given the extent and the success of the transition to date, any effort to change the standard would place the entire industry in jeopardy, waste years of development and investment, and mostly likely force the commission and all interested parties to start all over from square one. Perhaps Sinclair Vice President Nar Ostroff put it best in a 1996 white paper in which he said that "multiple standards would not only create chaos, but would so fragment the market that no serious business could invest in the tooling to produce multiple standard receivers into such a market."

If this tragedy were to occur, the nation would risk losing its valuable technological edge in video digital communications to other countries. It is only through the rapid commercialization of DTV utilizing the current modulation standard that America will maintain its current comfortable lead in these valuable technologies.

On behalf of the tens of thousands of our members, who work in affected industries and occupations, I urge the FCC to maintain its support for the current 8-VSB, DTV standard.

Respectfully submitted,



J. J. Barry
President

International Brotherhood of Electrical Workers (IBEW), AFL-CIO