

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

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Carriage of Digital Television Broadcast) CS Docket No. 98-120
Signals)
)
Amendments to Part 76)
Of the Commission's Rules)
)
Implementation of the Satellite Home)
Viewer Improvement Act of 1999:)
)
Local Broadcast Signal Carriage Issues) CS Docket No. 00-96
)
Application of Network Non-Duplication,) CS Docket No. 00-2
Syndicated Exclusivity and Sports Blackout)
Rules to Satellite Retransmissions of)
Broadcast Signals)

ORIGINAL

**COMMENTS OF TRIBUNE BROADCASTING COMPANY
IN SUPPORT OF THE NAB/MSTV/ALTV AND DISNEY
PETITIONS FOR RECONSIDERATION**

TRIBUNE BROADCASTING COMPANY

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June 4, 2001

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**COMMENTS OF TRIBUNE BROADCASTING COMPANY
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Tribune Broadcasting Company ("Tribune"), by its undersigned counsel, hereby files these Comments in support of the Petition for Reconsideration filed jointly by the National Association of Broadcasters ("NAB"), the Association for Maximum Service Television, Inc. ("MSTV") and the Association of Local Television Stations, Inc. ("ALTV") (hereinafter the "NAB Petition") as well as the Petition for Reconsideration filed by the Walt Disney Company (hereinafter the "Disney Petition"). These Petitions sought reconsideration of various decisions

made by the Commission in the *First Report & Order* issued in the above-referenced proceeding.¹

I. Introduction & Summary

Although recognizing the inordinately complicated task of conforming the Commission's analog cable carriage rules to the realities of digital television, Tribune submits that the Commission's first attempt at defining the new digital cable carriage rules too often ignore the very real incentives cable systems have to discriminate against broadcasters when carrying their DTV signals. The technological ability of cable operators to discriminate against broadcasters was best summarized in the Disney Petition:

More and more, broadcast services will compete with cable operators for audience share on the basis of new, exciting types of programming made possible by innovative technology that enhances the viewing experience. And more and more, technological change will afford cable operators new means to erode broadcasters' viability (often to the advantage of competing content owned by the cable operators) by refusing to pass through program enhancements that will progressively come to define the medium. If the protections of the Cable Act are to be given meaning, they must be applied to preclude this result.²

Both the NAB and the Disney Petitions identify various changes needed in the FCC's digital cable carriage rules to prevent cable operators from discriminating against over-the-air broadcasters. Tribune's comments highlight four issues raised by those Petitions that warrant special attention from the Commission. First, the Commission should immediately mandate dual cable carriage during the DTV transition, including full DTV must-carry of all global program-related material contained in the DTV transport stream. Second, the

¹ See *Carriage of Digital Television Broadcast Stations, First Report & Order and Further Notice of Proposed Rulemaking*, FCC 01-22, CS Docket No. 98-120, released January 23, 2001.

² Disney Petition at 5.

Commission should clarify that all program related material contained in the DTV transport stream is entitled to must-carry, regardless of whether the programming material consists of interrelated programming feeds of the same event or multiplexed, independent programming streams. Third, the Commission must strengthen its material degradation definition in the DTV context to require cable operators to pass all the program related bits in the DTV transport stream to their subscribers. Finally, the Commission should clarify that the entire program and system information protocol (“PSIP”) component contained in the DTV signal is entitled to must-carry. In addition, the Commission should require that cable operators use the broadcasters’ PSIP information in any electronic program guide (“EPG”) displays created for their subscribers in either their set-top boxes (“STBs”) or Point of Deployment modules for cable-ready sets. Each of these changes would prevent cable operators from impermissibly discriminating against broadcasters in the digital environment.

II. The Commission Should Require Full DTV Must-Carry During The Transition.

The Commission should reverse its initial decision in this proceeding and order dual carriage during the DTV transition, including full DTV must-carry on those cable systems that have been upgraded to 750 MHz or more.³ The NAB Petition convincingly demonstrates that the Commission has the authority to require full DTV must-carry under the 1992 Cable Act. DTV must-carry during the transition would also be fully consistent with the Telecommunications Act of 1996 (the “1996 Act”). In the 1996 Act, Congress ordered the FCC to issue second channels to every eligible broadcaster to ensure that the free, over-the-air broadcast industry remained competitive with the subscription-based multi-channel video programming distributors (“MVPDs”). Ordering full DTV must-carry during the transition will

break the stranglehold these MVPDs currently have on the over-the-air digital transition, where only those companies with significant economic leverage have any chance of securing carriage of their digital signal. These digital carriage negotiations are typically difficult and time-consuming – a result completely at odds with the December 31, 2006 date established by Congress as the end point for the DTV transition.

As recognized in the NAB Petition, there are also several important public policy reasons supporting such a requirement. First and foremost, Congress has intervened in the marketplace and imposed an artificial, highly aggressive target date of December 31, 2006 to complete the transition to DTV. As then-Commissioner Powell recognized, this Congressionally-mandated transition period is far shorter than it took for the public and the over-the-air industry to transition to color television or for UHF television to gain acceptance in the marketplace. This Congressionally-mandated target date is the polar opposite of a market driven result. Thus, the Commission's regulatory inclination to rely on market driven solutions must give way.

Specifically, the target date established by Congress requires forceful, aggressive actions by this Commission to ensure that the four industries vital to the transition to DTV – (i) over-the-air broadcasters, (ii) cable and satellite providers (so-called MVPDs), (iii) receiver manufacturers and (iv) content creators – each play their role in effectuating this Congressional mandate. To date, the only industry required by the Commission to act to meet this Congressional deadline is the broadcast industry. Notwithstanding years of hand-wringing over DTV cable compatibility and DTV receiver standards, the Commission has yet to resolve these

³ By "full DTV must-carry," Tribune refers to all portions of the 19.4 mbps digital transport stream that contain program-related material. *See infra* at 10-14 for a discussion of signal degradation issues.

issues. Although the transition is over five years old, very few television sets sold today even have the capability of receiving an over-the-air DTV signal. For those few sets that do have this capability, there is little chance that they will work with cable because there is still no technical standard specifying the manner in which the over-the-air DTV signal will be passed between the cable system and the DTV set.

To jump start the stalled DTV transition, the time for action is now. Although beyond the scope of the instant proceeding, Tribune urges the FCC to specify minimum DTV set cable compatibility standards so that the American consumer is assured that their new DTV sets will work as seamlessly with cable as their analog sets do now. Tribune also urges the Commission to require that every DTV receiver contain a chip capable of decoding the 8 VSB digital signal. For the purposes of this proceeding, given that nearly 70 percent of the television homes in this country receive their video programming via cable or satellite MVPDs, the Commission must require full DTV must-carry if there is any chance of meeting this hard line, Congressionally-mandated deadline for the end of the DTV transition.

This demonstrated need for DTV must-carry is hardly new. The Congressional Budget Office itself reached this same conclusion almost two years ago. Specifically, the CBO found that “a strong must-carry requirement for cable systems to carry DTV signals . . . will be necessary to achieve the mandated market penetration level by 2006 and end the transition.”⁴ The CBO also referred to DTV must-carry as the “most significant single determinant” in the pace of the DTV transition. It is hardly surprising that the DTV transition is currently stalled given the lack of a DTV must-carry requirement to date.

⁴ “Completing the Transition to Digital Television” Congressional Budget Office, Chapter I (Sept. 1999).

Contrary to the Commission's tentative conclusion in the *First Report & Order*, the DTV must-carry rule supported here would survive First Amendment scrutiny. Specifically, the full DTV must-carry rule is narrowly tailored to avoid unnecessarily burdening the First Amendment rights of cable operators. First, the dual carriage requirement would only apply to upgraded cable systems with significantly increased channel capacity – a channel capacity many times greater than standard analog systems of years past. Second, as the Commission noted in the *First Report & Order*, today's digital compression technology allows cable companies to carry over-the-air DTV programming streams over less bandwidth than the 6 MHz channel currently devoted to the carriage of analog signals.⁵ Finally, the dual carriage requirement would only apply during the DTV transition period – a period that will be significantly shorter if the FCC reverses its initial decision and orders full DTV must-carry on all upgraded cable systems.

Each of these factors demonstrate that the DTV must-carry rule supported here by Tribune is narrowly tailored to further an important governmental interest recognized by Congress in the 1996 Act – namely, to ensure the long term health of free, over-the-air broadcasting. Given this mandate from Congress to the Commission, Tribune submits that a full DTV must-carry requirement applicable only to upgraded cable systems for a limited transition period would survive intermediate scrutiny under the First Amendment.

To the extent the Commission finds that it lacks the statutory authority to order full DTV must-carry on upgraded cable systems during the DTV transition, however, the Commission should immediately request that authority from Congress. The CBO itself

⁵ The Commission noted that “a cable operator with an analog-based cable system would devote 6 MHz of bandwidth to the carriage of a high definition television signal, but a cable operator using the 64 QAM digital format may only have to devote 4 MHz to the carriage of that same high definition signal.” *First Report & Order*, ¶ 41 n.115. As described more fully below, while Tribune does not object to the remodulation of its DTV signal into 64K or 256K QAM for carriage by cable systems, Tribune does object to the elimination of any program related data in the MPEG transport stream that it delivers to the cable headend for carriage.

recognized that DTV must-carry is essential to the ultimate success of the DTV transition. As the expert agency charged with regulatory oversight of the communications industry, the Commission has an obligation to report any impediments to its ability to effectuate the dictates of Congress. Without further action by the Commission, in this proceeding as well as its related DTV proceedings, then-Commissioner Powell's reference to the DTV transition as a "potential train wreck" will almost certainly come true.⁶

III. The Commission Should Clarify That All Program-Related Material in the DTV Signal Is Entitled to Must-Carry.

The Commission should also reverse its initial decision and require that all program-related information in the broadcaster's DTV transport stream be carried by upgraded cable systems, regardless of whether the programming streams are interrelated programs or independent, unrelated programs. As noted by Disney, the Commission should act in this proceeding "to ensure that cable television consumers enjoy unencumbered access to the full range of enhanced programming and services that will be available in the digital environment."⁷ The Commission's stilted reading of the Cable Act to require cable carriage for only one independent programming stream in a multiplexed DTV signal "represents a quantum leap backward for consumers."⁸

The Commission's interpretation of the 1992 Cable Act and the command that a cable operator carry the "primary video, accompanying audio, and line 21 closed caption transmission of each of the local commercial broadcast signals carried" is flawed. As noted by

⁶ See "Powell raises red flag over DTV switch," *Broadcasting & Cable*, September 14, 1998, at 14.

⁷ Disney Petition at 6.

⁸ *Id.*

Disney, the Commission's attempt to read the word "primary" used by Congress in 1992 in light of today's understanding of the possibilities of DTV is misguided.

Far from showing a remarkable prescience in predicting the possibility of multiple programming streams in the same bandwidth, the better reading of the word "primary" in the 1992 Cable Act, as suggested by Disney, is that it was used by Congress to describe the most important part of the broadcast signal to consumers – namely, the programming – as opposed to other portions of the broadcast signal of less importance to the consumer contained in the Vertical Blanking Interval. The Commission's attempt to limit the DTV programming streams that consumers are entitled to receive by fast forwarding the statutory language to a different time and place stands the purpose of the 1992 Cable Act on its head. As Disney noted in its Petition, "[i]t is unimaginable that, had it happened at that time, there would have been any serious question about whether cable operators could refuse to pass through color pictures. Yet the advancement of digital multicasting is of the same revolutionary character with even greater long-term impact."⁹ Because the word primary was not used as the Commission initially interpreted it, Tribune urges the Commission to reconsider its initial decision and require cable operators to carry all program related content in the DTV signal, regardless of whether the programming is interrelated or independent.¹⁰

The Disney and NAB Petitions identify several important policy reasons justifying this change. From Tribune's perspective, the most important policy reason supporting

⁹ Disney Petition at 5.

¹⁰ Tribune also agrees with Disney that the FCC's current interpretation of the "primary video" will be unworkable in practice. As noted by Disney, the digital broadcast signal will likely be configured and reconfigured to carry multiple related and then unrelated programming streams throughout the broadcast day. At each point of change, the FCC's current rule creates the real possibility of chaos as the cable system and the broadcaster squabble over the meaning of "primary," "related" and "independent" programming. Disney Petition at 11–12. For these reasons alone, Tribune submits that the Commission's current definition of the primary video stream should be reconsidered.

this change is that it would eliminate any ambiguity under the *First Report & Order* regarding cable treatment of Directed Channel Change (“DCC”). Tribune was one of the primary supporters of DCC before the ATSC. DCC allows a DTV broadcaster to provide its viewers with a dynamic, targeted viewing experience. For example, a DTV broadcaster could broadcast multiple local news programming streams, which could be dynamically delivered and adjusted to viewers across its audience depending on their location and breaking news developments. Using the same concept, a DTV broadcaster could broadcast a sporting event and provide several different camera angles of the same game within the DTV signal. Tribune believes that this advanced technological capacity will dramatically enhance its ability to serve the needs and interests of its local viewers and is the type of programming enhancement that will drive the DTV transition.

The cable treatment of these types of DTV broadcasts is unclear under the *First Report & Order*. While the FCC suggests that the sports broadcast with multiple camera angles would be part of the “primary” DTV programming signal entitled to carriage, it fails to clarify the treatment of the zoned local newscast described above.¹¹ Specifically, because this zoned local newscast will almost by definition not cover the same events in the same order, the programming streams will arguably not be related. Under the rule adopted by the Commission, these separate programming streams would therefore not be entitled to cable carriage.

Because DCC represents the type of innovative, technologically sophisticated benefit that will attract consumers to DTV, Tribune strongly urges the Commission to reconsider its decision and require that all programming-related information in the DTV transport stream is entitled to mandatory cable carriage. Without such a rule, the FCC will effectively deny cable

¹¹ *First Report & Order* ¶ 57.

consumers the full benefit of DTV. At the same time, the FCC's rule will allow cable companies to discriminate against broadcasters by preventing them from making full use of the available technology – a benefit the cable systems can certainly be expected to provide for their own programming networks.

IV. The Commission Should Revise and Strengthen its Material Degradation Rules.

The Commission should also revise and strengthen its definition of material degradation for the carriage of DTV signals by requiring cable systems to carry all the program-related bits in the digital transport stream initially delivered by the broadcaster to the cable system. As noted in the NAB Petition, the *First Report & Order* establishes a standard that will allow substantial material degradation of DTV signals, whose primary distinction is high quality.¹² The decision is also inconsistent with other decisions the Commission made in the *First Report & Order*.

The NAB Petition convincingly demonstrates that the Commission's initial definition of material degradation – which prevents cable operators from carrying a “digital broadcast signal in a lesser format or lower resolution than that afforded to any other digital programmer (e.g., non-broadcast cable programming, other broadcast digital program, etc.) carried on the cable system, provided, however, that a broadcast signal delivered in HDTV must be carried in HDTV” (*First Report & Order* ¶ 73) – is too vague and fails to provide meaningful protection to broadcasters. As noted above and in the NAB Petition, the Commission's rule ignores the various new opportunities available to cable systems to discriminate and competitively disadvantage broadcasters in the digital world.

¹² NAB Petition at 18.

Specifically, as noted in the NAB Petition, the Commission's standard completely ignores the dramatic quality degradations that can result from changes in the bit rate of a digital programming stream.¹³ The rule also ignores the dramatic differences in quality between the various formats in the ATSC and the SCTE (cable) digital program standards – standards that the Commission's rules permit to be almost freely substituted by the cable system. For example, a high quality 704 pixel by 480 line progressive scan broadcast signal could be reduced, under the Commission's current rule, to the lowest digital cable format containing only 352 pixels by 480 lines with interlaced scan, which is significantly lower in quality.¹⁴ The Commission's current rule also ignores the fact that there may be business reasons for cable operators to dumb down all the digital programming carried on their systems, a practice that may make business sense but will in no way provide the benefits of dramatically increased picture quality that will be needed to drive the DTV transition.¹⁵

Tribune submits that the Commission's philosophy underlying its material degradation rules must also be changed. Specifically, the Commission's pronouncement that "the issue of material degradation is about the picture quality the consumer receives and is capable of perceiving and not about the number of bits transmitted by the broadcaster if the difference is not readily perceptible to the viewer" fundamentally misses the essence of digital broadcasting. To coin a phrase from the Clinton campaign, in the DTV world, it's all about the bits.

¹³ *Id.* at 19-20.

¹⁴ *Id.* at 21. The NAB Petition also correctly points out that the Commission's current rule on material degradation also ignores the fact that the way formats are converted and the way the bit rate is reduced can cause even more signal degradation. *Id.* at 19-20.

¹⁵ *Id.* at 19 & n.68.

One of the fundamental benefits of the transition to digital is the dramatic improvements in picture resolution and overall quality. The Commission's "perceptible to the viewer" standard ignores these benefits and harkens back thirty years to the picture quality standards of the analog world. This standard is like trying to fit a round peg in a square hole and does not begin to capture the promise of DTV. This decision will again allow cable operators to disadvantage broadcasters by altering the program quality and enhancements delivered by the broadcaster to the cable system.

The Commission's proposed definition of material degradation is also administratively unworkable. As noted by the NAB, "[i]n digital, there is currently *no objective way* to evaluate material degradation."¹⁶ Rather than a rule requiring the carriage of all program-related bits in the DTV transport stream, the Commission's rule introduces a significant degree of subjectivity in the decisionmaking. Given the possible arguments over what viewers can or cannot perceive, the Commission's rule promises to bog down into an endless series of disputes between broadcasters and cable operators. The NAB Petition correctly notes that the bit rate assigned to a given program can dramatically affect the perceived quality of a program. The bit rate required for a given picture quality will, by definition, vary based on the amount of motion in the program as well as the nature of the program itself. Thus, it will be extremely difficult, if not impossible to know what bit rate changes could be made without affecting picture quality under the Commission's current standard.

Finally, the Commission's decision to ignore the number of program-related bits in its definition of material degradation is inconsistent with the Commission's adaptation of the definition of channel capacity in the digital environment. In the *First Report & Order* the

¹⁶ *Id.* at 20 (emphasis in original).

Commission noted that the Cable Act's requirement that a cable system make available for signal carriage purposes up to one-third of its usable activated channels was difficult to apply because "the development of digital signal processing and signal compression technologies, the number of video services carried on a cable system is no longer a simple calculation and may change dynamically over time depending on the amount of motion in video content, the amount of compression that takes place, and whether the service in question is in a standard or a high definition digital format."¹⁷

In light of these digital signal processing developments, the Commission decided to define the total usable channel capacity of a cable system in megahertz and divide the system's megahertz by three to identify the amount of capacity required to be made available for broadcast signal carriage purposes.¹⁸ The Commission supported this approach by noting that while calculating capacity on the amount of programming or bits was possible, both numbers were likely to change when an operator converted its system from analog to digital. Thus, it selected a definition that remained constant and did not vary with the transition from analog to digital.

Applying this same reasoning, the Commission should recognize the unique properties of digital programming and change its DTV material degradation rule to require cable systems to carry the same number of program-related bits as delivered to the cable system by the broadcaster. As noted above, the perception of viewers is inherently subjective. The perception capabilities of viewers will gradually change as the sophistication and quality of the consumer device receiving those signals improves. These device improvements can, in turn, be expected to

¹⁷ *First Report and Order*, ¶ 39.

¹⁸ *Id.* ¶ 40. The Commission noted that the cable system was required to provide each local television station with a sufficient amount of capacity to carry its primary digital video signal.

produce more refined and sophisticated sensitivity to picture degradation in viewers. To avoid these inherently subjective and variable changes, the Commission should adopt a material degradation standard that requires the cable system to carry the same number of program-related bits that it receives.¹⁹ Without an easy-to-administer rule based on the number of bits devoted to the program-related material in the DTV transport stream, the Commission will open itself to endless controversy over subjective standards of perceptible degradation and, more importantly, enable cable operators to erode the viability of the over-the-air industry by denying both broadcasters and cable subscribers the full benefits of DTV.

V. The Commission Should Strengthen and Clarify the Rules for PSIP Cable Carriage.

To avoid anticompetitive discrimination by cable systems against broadcasters, the Commission also should clarify and strengthen its rules regarding the cable carriage of the PSIP information contained in the DTV signal. First, as requested by the NAB, the Commission should require that cable operators use the broadcasters' PSIP information in any electronic program guide ("EPG") provided on the cable system, either through the system's Set Top Boxes ("STBs") or the Point of Deployment modules ("PODs") provided for cable-ready digital sets.

The urgent need for corrective Commission action on the treatment of PSIP information cannot be understated. In the digital world of hundreds of channels, DTV broadcasters will need the ability to communicate with their viewers regarding the content of the programming contained in their DTV signals. Without a rule requiring cable operators to utilize the broadcasters' PSIP information in any EPG provided to cable subscribers, DTV broadcasters

¹⁹ By emphasizing program-related bits, Tribune eliminates the concern expressed by the Commission that relying on a bit rate was not appropriate because the number of bits needed to transmit a signal over-the-air was higher than the bits needed to carry a signal over a cable system. While the number of bits devoted to error correction may be reduced by the cable system, under Tribune's standard, the number of program-related bits would remain the same.

will almost certainly be faced with unfavorable, discriminatory treatment of their programming in any cable system generated EPG. Because these EPGs will become more and more important to the viewer in sorting through the content of hundreds of channels in the DTV universe, the free, over-the-air DTV broadcast industry will inevitably face a serious threat to their long-term competitive health by virtue of their inability to relay information about their programming to nearly 70 percent of its audience.²⁰

Second, Tribune also urges the Commission to clarify that all PSIP information contained in the DTV transport stream is entitled to cable carriage. The Commission properly recognized that the PSIP was a “critical” component of the DTV signal because it allows navigation of and access to all the channels within the DTV transport stream as well as content information for browsing and selection.²¹ The Commission noted that the PSIP is comprised of four main tables: (1) system timetable; (2) ratings region on table; (3) master guide table and (4) virtual channel table.²² The Commission noted that the virtual channel table is of particular importance because it contains a list of all channels that are or will be on-line as well as the channel name, the channel’s navigation identifier and the stream components and types.²³

While recognizing the importance of the PSIP, the Commission did not make clear that the entire PSIP was entitled to mandatory carriage. Instead, the Commission noted that there were “certain over-the-air digital services sufficiently related to the broadcaster’s primary

²⁰ Although beyond the scope of the instant proceeding, Tribune also urges the Commission to require that any DTV receiver offered in the marketplace be equipped with the capacity to receive and display all the information contained in the broadcaster’s PSIP. Tribune recently became aware that the new DTV-DBS sets on the market do not have the capacity to pass all the program-related information contained in the DTV signal’s PSIP on to the consumer. Instead, these sets produce an EPG designed to highlight and promote the DBS provider’s programming.

²¹ *First Report and Order* ¶ 49.

²² *Id.*

²³ *Id.*

digital video programming that are entitled to carriage.”²⁴ The Commission included closed-captioning information, program ratings data for the V-chip, Source Identification Codes used by Nielsen to prepare program ratings and “the channel mapping and tuning protocols that are part of PSIP” in its list of services automatically entitled to carriage.²⁵ By specifically referring only to the channel mapping and tuning protocol of the PSIP, the Commission has implicitly decided that the other components of the PSIP are not program-related and therefore not entitled to mandatory cable carriage.

To the extent the Commission intended this result, Tribune urges the Commission to reconsider this decision. The same reasoning utilized by the Commission to require cable carriage of closed-captioning and ratings-related information warrants mandatory cable carriage of the entire PSIP contained in the DTV signal. First, in addition to channel mapping and tuning protocols, the FCC itself recognized that the PSIP contains critical information about the programming carried in the DTV transport stream.

Second, under the so-called program-related test articulated in *WGN Continental Broadcasting, Inc. v. United Video, Inc.*, 693 F. 2d 622 (7th Cir. 1982) – the test the Commission applied in determining what elements in the DTV transport stream were program-related – the entire PSIP qualifies. Like the other information identified for mandatory carriage in the *First Report & Order*, the PSIP is (i) intended for use by the viewer watching the signal, (ii) made available at the same time as the programming, and (iii) contains various information about the programming in that signal. For these reasons, the Commission should clarify that the entire PSIP is entitled to mandatory carriage on cable systems.

²⁴ *Id.* ¶ 61.

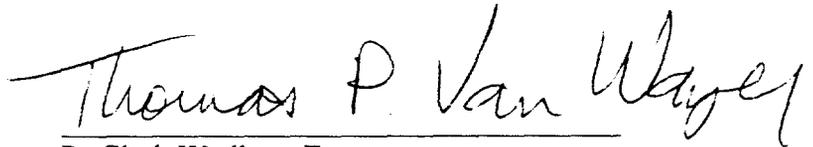
²⁵ *Id.* The Commission reasoned that “those services provided useful information to viewers, broadcasters, and/or cable operators, and are intended for use in direct conjunction with the programming.” *Id.*

VI. Conclusion

The FCC stands at an important crossroads today. Without decisive action in this proceeding and its related proceedings on DTV receiver-cable compatibility and DTV receiver standards, the promise of DTV may never become a reality. To avoid such a result, Tribune urges the Commission to (i) require full DTV must-carry during the transition, (ii) clarify that all program-related information in DTV transport stream is entitled to cable carriage, regardless of whether that programming is interrelated or independent, multiplexed programming, (iii) revise its definition of material degradation to require cable systems to carry all program-related bits delivered by a DTV broadcaster to the cable system, and (iv) clarify that the entire PSIP is entitled to mandatory carriage on cable systems.

Respectfully submitted,

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I, Loretta Villar Douglas, hereby certify that on this 4th day of June, 2001, I caused a copy of the foregoing Comments of Tribune Broadcasting Company in Support of the NAB/MSTV/ALTV and Disney Petitions for Reconsideration to be delivered to the following individuals via first class mail, postage prepaid:

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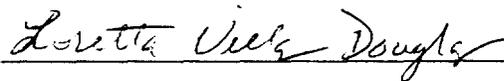
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