

EX PARTE OR LATE FILED



Federal Communications Commission  
Washington, D.C. 20554

MM 00-391

SEP 26 2001

RECEIVED

CN0103190

The Honorable Charles Grassley  
United States Senate  
135 Hart Senate Office Building  
Washington, D.C. 20510

SEP 28 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Dear Senator Grassley:

Thank you for forwarding the recent letter from your constituent, Ms. Clarice Alons, regarding the transition to digital television (DTV). She suggests that the Commission allow smaller stations time beyond the May 1, 2002 DTV construction deadline to convert from analog to digital operation.

There is a process stations may use to seek an extension of the DTV construction deadline. In the *Fifth Report and Order* with respect to DTV, the Commission noted that it will grant an extension of the construction deadline where a broadcaster has been unable to complete construction due to circumstances that are either unforeseeable or beyond the licensee's control if the licensee has taken all reasonable steps to resolve the problem expeditiously. Such circumstances include, but are not limited to, the inability to construct and place in operation a facility necessary for transmitting DTV, such as a tower, because of delays in obtaining zoning or FAA approvals, or similar constraints, or lack of equipment necessary to transmit a DTV signal. The Commission delegated authority to the Mass Media Bureau to grant two such six-month extensions of time, after which extension requests will be referred to the Commission.

The Commission is currently considering petitions for reconsideration of the *Report and Order* in the first DTV periodic review proceeding. Some of these petitions have asked the Commission to extend the applicable construction deadlines for stations in smaller markets, citing costs and hardship, and those petitions are pending.

The Commission will include your constituent's letter in the record of the DTV periodic review proceedings and consider all views carefully. I hope this is responsive to your concerns.

Sincerely,

  
Roy J. Stewart  
Chief, Mass Media Bureau

No. of Copies rec'd 2  
List ABCDE

REPLY TO:

- 135 HART SENATE OFFICE BUILDING  
WASHINGTON, DC 20510-1501  
(202) 224-3744  
TTY: (202) 224-4479  
e-mail: chuck\_grassley@grassley.senate.gov
- 721 FEDERAL BUILDING  
210 WALNUT STREET  
DES MOINES, IA 50309-2140  
(515) 264-4890
- 206 FEDERAL BUILDING  
101 1ST STREET SE  
CEDAR RAPIDS, IA 52401-1227  
(319) 363-6832

## United States Senate

CHARLES E. GRASSLEY

WASHINGTON, DC 20510-1501

August 31, 2001

REPLY TO:

- 103 FEDERAL COURTHOUSE BUILDING  
320 6TH STREET  
SIOUX CITY, IA 51101-1244  
(712) 233-1860
- 210 WATERLOO BUILDING  
531 COMMERCIAL STREET  
WATERLOO, IA 50701-5497  
(319) 232-6657
- 116 FEDERAL BUILDING  
131 E. 4TH STREET  
DAVENPORT, IA 52801-1513  
(563) 322-4331
- 307 FEDERAL BUILDING  
8 SOUTH 6TH STREET  
COUNCIL BLUFFS, IA 51501-4204  
(712) 322-7103

Ms. Martha Johnston  
Director  
Federal Communications Commission  
Office of Legislative & Intergovernmental Affairs  
1919 M Street, N.W., Room 808  
Washington, DC 20554

Dear Ms. Johnston:

Enclosed please find a communication from Clarice Alons regarding their concerns about the Digital Television Build-out deadline of May 1, 2002.

I would appreciate any assistance you could provide pertaining to this matter. Please mark your return correspondence to the attention of Robert Macha when responding to my office.

Thank you for your attention to my request.

Sincerely,



Charles E. Grassley  
United States Senator

CEG/rm  
Enclosure

*mmb  
Digital TV  
3190*

SEP 17 2 05 PM '01

RANKING,  
FINANCE

Committee Assignments:

BUDGET  
JUDICIARY

CO-CHAIRMAN,  
INTERNATIONAL NARCOTICS  
CONTROL CAUCUS

1314 7<sup>th</sup> St.  
Hull, IA 51239  
June 28, 2001

Senator Charles Grassley  
135 Hart Building  
Washington, D.C. 20510

Dear Senator Grassley,

It is my understanding that Congress has made a government mandate to smaller and independent television stations to build digital channels for each of their stations by May 1, 2002, at a cost of millions per station. I would ask you to please give these stations more time to fulfill this requirement so they do not have the enormous expense of building and operating another channel for each station in such a short time.

One television manager said that they and others understand that digital will be the wave of the future, but right now very few people even have digital equipment in their homes to receive digital signals. They are not asking for a reprieve from the mandate, but that they have more time to meet the requirements.

Please explain your position on this issue to me.

Respectfully,



Clarice Alons

P.S.

Thank you for your work at the Capitol for our area. We lift you up in prayer and trust God to give you His wisdom, His joy, and His peace.