

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

In the Matter of)	
)	
Implementation of Section 304 of the Telecommunications Act of 1996)	CS Docket No. 97-80
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and Consumer Electronics Equipment)	PP Docket No. 00-67
)	

**REPLY COMMENTS OF THE ASSOCIATION OF PUBLIC
TELEVISION STATIONS, THE PUBLIC BROADCASTING
SERVICE AND THE CORPORATION FOR PUBLIC
BROADCASTING**

The Association of Public Television Stations (“APTS”), the Corporation for Public Broadcasting (“CPB”) and the Public Broadcasting Service (“PBS”) (collectively, “Public Television”)¹ hereby submit comments in the above-captioned proceeding.

Public Television is gratified that the Consumer Electronics Association (CEA) and the National Cable Television Association (NCTA) have concluded an agreement on cable compatibility with integrated, unidirectional digital cable receivers and other products. Public Television recognizes that this process has taken a long time and

¹ APTS is a nonprofit organization whose members comprise the licensees of nearly all of the nation’s 357 CPB-qualified noncommercial educational television stations. APTS represents public television stations in legislative and policy matters before the Commission, Congress, and the Executive Branch and engages in planning and research activities on behalf of its members. CPB is a private, nonprofit corporation created and authorized by the Public Broadcasting Act of 1967 to facilitate and promote a national system of public telecommunications. *See* 47 U.S.C. § 390 *et. seq.* PBS is a nonprofit membership organization of the licensees of the nation’s public television stations. PBS distributes national public television programming and provides other program-related services to the nation’s public television stations.

commends Chairman Powell, Media Bureau Chief Ken Ferree, Chairmen Upton and Tauzin and Congressman Markey for their leadership in encouraging the respective industries to reach this agreement

However, Public Television, like the National Association of Broadcasters (NAB) and the Association for Maximum Service Television, Inc. (MSTV), is disappointed that this agreement does not include the over-the-air ATSC tuner standard (EIA/CEA-818-D) in their definition of the parameters of a “cable-ready” DTV receiver.² Public Television agrees with NAB and MSTV that an agreement without this feature is contrary to the public interest. It frustrates the expectations of consumers, who generally (and rightly) believe that when they buy a cable ready television receiver it should be able to receive both over-the-air broadcast signals and be compatible with cable systems. It undermines the FCC tuner mandate that, after much deliberation, was adopted by the FCC last August. And it creates yet another roadblock to the successful completion of the DTV transition, which will be driven in part by the reception of DTV broadcast signals across a number of platforms, including (but not limited to) cable, DBS and over-the-air technology.³ Accordingly, Public Television urges the Commission to accept the CEA-NCTA agreement under the express condition that a Commission-mandated DTV tuner requirement is included.

² Comments of the National Association of Broadcasters and the Association for Maximum Service Television, Inc., CS Docket No. 97-80, PP Docket No. 00-67 (March 28, 2003), pp. 5 *et. seq.* See also Comments of Sinclair Broadcast Group, Inc., CS Docket No. 97-80, PP Docket No. 00-67 (March 28, 2003), p. 3.

³ In addition, universal access to public television signals over a variety of delivery platforms serves the public broadcasting’s statutory mandate to serve all Americans. 47 U.S.C. § 396(a)(7). See also 47 U.S.C. § 396(a)(9) (“[I]t is in the public interest for the Federal Government to ensure that all citizens of the United States have access to public telecommunications services through all appropriate available telecommunications distribution technologies”).

Like NAB and MSTV, Public Television is also disappointed that the CEA-NCTA agreement fails to incorporate full PSIP navigation, referencing only profiles 1 through 3 of the PSIP standard for out-of-band system information.⁴ Public Television agrees that the Commission should require Profile 4 or higher. Public Television also objects to the agreement's proposal of a bandwidth limitation for in-band PSIP information.⁵ The Commission should delete any bandwidth limit for this information, which is essential for the full and fair navigation of DTV channels by consumers.⁶

⁴ See Comments of NAB/MSTV, pp. 9-10.

⁵ See Comments of NAB/MSTV, p. 10.

⁶ The CEA-NCTA agreement also does not require cable-ready sets to have a 1394 connector. Thus its scope encompasses only unidirectional services, which is unnecessarily limiting of a medium that has great potential for educational interactivity. Public Television therefore agrees with NAB and MSTV that the Commission should require IEEE 1394 digital connectors on all digital devices. See Comments of NAB/MSTV, p. 5, n. 6.

Conclusion

For the reasons articulated above, Public Television strongly supports the Comments of NAB and MSTV and urges the Commission to make the recommended refinements in the CEA-NCTA agreement.

Respectfully Submitted,

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<p>April 28, 2003</p>	<p><u>/s/ Katherine Lauderdale</u> Katherine Lauderdale Senior Vice President and General Counsel Paul Greco Vice President and Deputy General Counsel Jill Patrone Assistant General Counsel Public Broadcasting Service 1320 Braddock Place Alexandria, Virginia 22314-1698 www.pbs.org Telephone: 703-739-5000 Fax: 703-837-3300</p>