



January 31, 2005

The Honorable Michael K. Powell  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Re: CS Docket No. 98-120, MB Docket No. 03-15**

Dear Mr. Chairman:

We are pleased to inform you that today the public television and cable industries will announce an agreement regarding voluntary cable carriage of public television stations' digital broadcast signals. This agreement provides a framework ensuring that a wide array of new and diverse public television digital programming will be carried on cable systems serving a majority of cable customers. Further, it provides significant digital cable carriage incentives for local public television stations to offer more high definition, children's and local programming.

The agreement addresses carriage of public television stations' digital signals both before and after the broadcasters' transition to digital. Specifically, it provides for carriage on upgraded cable systems of one public television station's digital signals per market pre-transition (i.e., during the period when television stations are transmitting both an analog and digital television signal), in addition to its analog signal. After all television stations in a market are transmitting only digital signals, upgraded cable systems that offer high definition programming will carry free non-commercial digital programming of each local public television station that it carried in analog. Also, a public station that chooses to end its analog transmissions early will get digital carriage rights at that time.

The PTV digital programming to be carried by a cable operator will include up to four streams of free non-commercial digital programming (high definition or standard definition), if a station chooses to offer that many streams. The cable operator will also carry associated material, including formal educational and homeland security or other emergency public safety information. Carriage of multiple digital public television stations' multicast streams is subject to limits on duplication of programming.

One significant benefit of the agreement is that it represents the resolution of complex digital carriage issues through private negotiation rather than with a government mandate, giving public broadcasters and cable operators the ability to make long-term business plans without the uncertainties, litigation and costs that often accompany legislation and regulation.

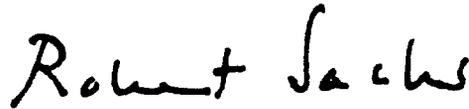
Following approval of the agreement by the Boards of Directors of the Association of Public Television Stations (APTS), the National Cable & Telecommunications Association (NCTA) and the Public Broadcasting Service (PBS), the agreement must be ratified within 60 days by public television stations in markets that comprise 80 percent of U.S. television households and cable systems representing at least 80 percent of cable subscribers. Cable operators have 180 days following ratification to implement the terms of the agreement.

We would be happy to answer any questions you have about the agreement.

Sincerely,



John Lawson  
President & CEO  
Association of Public Television  
Stations



Robert Sachs  
President & CEO  
National Cable & Telecommunications  
Association

cc: Marlene H. Dortch, Secretary  
Commissioner Kevin J. Martin  
Commissioner Michael J. Copps  
Commissioner Jonathan S. Adelstein  
Commissioner Kathleen Q. Abernathy  
Ken Ferree, Chief, Media Bureau  
William Johnson, Deputy Chief, Media Bureau  
Rick Chessen, Associate Chief, Media Bureau