

June 8, 2006

The Honorable Jonathan S. Adelstein
Commissioner
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Carriage of Broadcasters' Multicast Channels, CS Docket No. 98-120

Dear Commissioner Adelstein:

I am writing to ask that you support multicast must carry and the public interest it will serve.

Carriage for the full digital broadcast signal, including all multicast channels, will yield a tangible result – local broadcasters will be able to invest in multicast channels and secure broadcasting's future in a digital and increasingly competitive video marketplace. Supporting full carriage will promote localism, diversity and the public interest in the digital age, goals which you ardently support.

In your separate statement to the Commission's *Second Report and Order* in CS Docket No. 98-120, you stated that the "pertinent question" is how much benefit multicast programming streams will provide to the public. The answer is clear. Everyday local broadcasters serve their local communities, and the over 600 multicast channels currently deployed in the marketplace. We have developed specialized channels such as local news, weather and community channels. For example, the Hive, from Clear Channel Television, is an all-local multicast channel that derives its content in part from colleges, high schools and community organizations.

Broadcasters are eager to serve their local communities by making their multicast channels viable, while fulfilling the FCC's public interest goals. But to do so, we must be able to reach all of our viewers, including those who only receive broadcast signals through cable. In a July 2005 survey conducted by NAB, 79.2% of stations that are presently multicasting or planning to do so stated they will be highly unlikely or unlikely to provide these types of services in the future if these stations were not carried by their local cable systems.

Local broadcasters have had difficulty securing carriage for their additional channels. In your home state of South Dakota, *not one* of the several dozen cable companies will agree to carry multicast news and weather channels for Duhamel Broadcasting Enterprises. This is local programming aimed at serving local communities, the very hallmark of broadcasters' public service. Enclosed is a copy of their recent comments to the Commission.

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Additionally, you have stated your strong support for children's programming in the digital television era. In supporting the 2004 Children's Television rules, you stated that "[d]igital television offers vast educational potential. It provides an opportunity for broadcasters to nurture the emotional, cognitive, behavioral and other needs of children through more and better educational and informational programming." In a world of multicast carriage, there will be more children's programming choices. Additionally, broadcasters such as Ion Media Network, are devoting entire multicast channels to providing around-the-clock quality children's digital television programming.

On April 24, NAB lent its support to a *Joint Proposal* submitted by various broadcast and cable industry representatives and children's television public interest groups recommending modifications to the Commission's *2004 Report & Order*, which imposed a three-hour per channel educational and informational programming processing guideline. NAB urged the Commission to adopt the *Joint Proposal*, as we believe it to be a sensible response and compromise to the *2004 Order* that best serves the public interest. This vast educational potential will only happen if broadcasters are able to make multicasting a reality. Should the Commission refuse to require full digital carriage, including multicast channels, cable viewers will be denied access to children's educational and informational programming on each multicast channel that is not carried.

NAB recognizes your concern that public interest obligations for digital television have not been fully defined. We look forward to working with you and the Commission in the ongoing proceedings. We share the same policy goal of serving the public interest. To ensure the viability and continued growth of local, informative, educational, and diverse programming, your support of multicast must carry is critical.

The upcoming vote before the Commission will determine whether there will be more or less public interest programming. A yes vote in favor of multicast must carry carriage requirements will help achieve your vision of serving the public.

Please do not hesitate to contact me if we can provide you with additional information or if you have additional questions about how broadcasters will ensure multicast must carry will serve America.

Best wishes.

Sincerely,

A handwritten signature in cursive script that reads "David K. Rehr".

David K. Rehr

Encl.

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cc: The Honorable Kevin J. Martin, Chairman
 The Honorable Michael J. Copps, Commissioner
 The Honorable Deborah Taylor Tate, Commissioner
 The Honorable Robert M. McDowell, Commissioner

To The Federal Communications Commission:

While you are considering multicast must-carry for broadcasters,

I would like to offer my thoughts on this vital ruling if digital

television is to succeed. I have been working in television

broadcasting for over 45 years and have watched television grow

into a medium that we all should be proud of. We are now at the

cross roads for the latest technology, but there is some rulings that the Commission need to do in order for digital to become what

it can be. Broadcasters have invested millions of dollars in

order to fulfill the mandate give to us by Congress. We are now

bring full HDTV to our communities in Western South Dakota, Eastern Wyoming and the Panhandle

of Nebraska, and it is our plans to expand into the available channels available to us in digital

television in the immediate future, first with a full time news,

weather channel bring the latest in local and regional information along with EAS announcements.

Additional channels would be used for localism interests such as schools, government and public

service organizations. As I was working with the various cable systems in the Retransmission

Consent and Must Carry permission, not one of the several dozen companies would agree to carry

any of the additional digital channels. Cable penetration in our area ranges from 28 to 95%. In order

for us to succeed in being able to offer these additional channels it is necessary for us to have

viewers watching so that we sell advertisements to national and local businesses. So if we do not

have the additional digital channels on the cable systems, we would not be able to sell

advertisements at the same level as we could with "Must Carry". In a large geographical area such as

the one that we serve with our four (4) full power, 24/7 stations it is very important that all information

that we telecast be available to any and all potential viewers.

I have spoken to Commissioner Adelstein about this concern of ours, while he visited the South

Dakota Broadcasters convention last summer, while he did not say what he intention would be, I hope

that he will join in with all of the Commissioners and vote "Yes" for Must Carry.

I urge you to support must carry not only for the well being of the broadcast industry, but for the

millions of people who would benefit not only from the information that they could view, but also for

the new avenues that many local organization would benefit from by being able to present their views.

Thank you.

Monte Loos