

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554**

In the Matter of: )  
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DTV CONSUMER EDUCATION INITIATIVE ) MB Docket No. 07-148  
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To: The Secretary

**COMMENTS**

Entravision Holdings, LLC ("Entravision"), the licensee of full-service Spanish-language television stations, by its attorneys and in response to the Commission's *Notice of Proposed Rulemaking*,<sup>1</sup> hereby submits these Comments in the above-referenced proceeding in which the Commission has requested comment on its proposed consumer education initiative concerning the transition from analog to digital television service ("DTV Transition"). Entravision supports the Commission's proposal to require public service announcements educating viewers on the DTV Transition and urges the Commission to require television licensees generally to broadcast such announcements in both English and Spanish. Entravision also urges the Commission to take the lead in an effort to ensure that the general public, and especially over-the-air viewers, are made fully aware of the DTV Transition and the NTIA's coupon program. In support thereof, Entravision states as follows.

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<sup>1</sup> See *DTV Consumer Education Initiative*, Notice of Proposed Rulemaking, MB Docket No. 07-148, FCC 07-128, released July 30, 2007 ("*NPRM*"). These Comments are timely submitted by the September 17, 2007 deadline. See 72 Fed. Reg. 46014 (Aug. 16, 2007); *Media Bureau Announces Comment and Reply Comment dates for the DTV Consumer Education Initiative*, Public Notice, DA 07-3612 (rel. Aug. 16, 2007).

Before turning to specific questions posed by the Commission in the *NPRM*, Entravision wishes to address the importance of providing DTV Transition educational efforts in Spanish as well as English. As discussed by Entravision in numerous proceedings,<sup>2</sup> the DTV Transition is particularly important, and poses unique challenges with respect to, Spanish-language viewers. Spanish-language viewers rely on over-the-air television more heavily than the population at large. It is estimated that one in three Spanish-language households receive their television programming exclusively by over-the-air transmission,<sup>3</sup> while over-the-air reliance in the general population is closer to one in six households.<sup>4</sup> Given that Hispanics constitute a large, identifiable segment of the over-the-air television audience, the Commission must specifically target Spanish-language viewers in its DTV education efforts by mandating that DTV Transition

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<sup>2</sup> See, e.g., *Comments of Entravision Holdings, LLC*, National Telecommunications and Information Administration, *Implementation and Administration of a Coupon Program for Digital-to-Analog Converter Boxes*. Docket No. 060512129-6129-01 (September 25, 2006) (“Entravision Converter Box Comments”); *Comments of Entravision Holdings, LLC*. Federal Communications Commission MB Docket No. 04-210 (July 12, 2004) (“Entravision OTA Comments”).

<sup>3</sup> See *Entravision OTA Comments* at 1-2 (noting only 72% of Hispanic homes subscribe to cable or satellite, as compared to 85% subscription rate among all households). See also *Comments of Univision Communications Inc.*, Federal Communications Commission MB Docket No. 04-210 (August 11, 2004) (“Univision Ota Comments”) at 8 (noting that 33% of Hispanic households nationwide receive programming solely over-the-air).

<sup>4</sup> See *Implementation and Administration of a Coupon Program for Digital-to-Analog Converter Boxes*. Notice of Proposed Rulemaking, 71 Fed. Reg. 42067 (July 25, 2006) at 42071 (citing legislative history to DTV Transition Act, H.R. Rep. No. 109-362, at 201 (Conf. Rep.), for 14.86% over-the-air statistic, and United General Accounting Office, GAO-06-623T, *Digital Broadcast Television Transition: Several Challenges Could Arise in Administering a Subsidy Program for DTV Equipment* (2005) for 19% statistic).

advertising air, in television markets with Spanish-language viewers constituting a recognizable presence, in both English and Spanish.<sup>5</sup>

Entravision submits that the Spanish-language DTV educational campaign should coexist with and mirror English-language efforts. The Commission should produce a Spanish-language counterpart for each English-language advertisement or announcement that the Commission produces and licensees utilizing the Commission's advertisements and announcements should be required to air both. Broadcasters creating their own advertisements should likewise be required to produce and air Spanish-language equivalents of their English-language advertisements. Any licensees not wishing to broadcast the dual-language advertising should be required to certify that they serve a market where the Hispanic population standard discussed above is not present.

Moreover, Entravision submits that unique market conditions in communities along the common US-Mexico border warrant extra Spanish-language educational and outreach efforts. As Entravision has previously demonstrated,<sup>6</sup> communities along the common US-Mexico border, which all have significant numbers of Spanish speakers, will continue to receive analog signals from over-the-air Mexican television stations after the February 17, 2009 DTV Transition deadline in the United States. As such, many Hispanic viewers in border towns may be inclined to rely on Mexican analog stations rather than participate in the DTV Transition in the United States.

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<sup>5</sup> Entravision suggests that a simple mechanism for determining the presence of Spanish-language viewers in a market, which would not require broadcasters to consult any statistics, would be that the presence of a Spanish-language television station (either low-power or full-service) in a market would then trigger the obligation for other broadcasters to provide dual language advertising of the DTV Transition.

<sup>6</sup> See Entravision Converter Box Comments at 5-8.

Broadcasters in these border areas, such as Entravision, are committed to undertaking the special efforts needed to reach these viewers, and the NTIA has recognized the special challenges presented by border communities and accounted for such challenges in implementing its converter box coupon program. The Commission likewise should consider producing its own advertisements specifically targeting Hispanic populations in border towns. The continuing appeal of analog service for Spanish-language television viewers in border communities directly undermines the ability of US broadcasters to insure that such viewers remain an informed part of the public. Without persistent efforts on multiple fronts to inform Spanish-speaking viewers about, and to include them in, the DTV Transition, an entire segment of Spanish-language viewers will no longer have access to the news, public affairs and entertainment programming available to the rest of the American people.

Turning to specific issues raised by the Commission in the *NPRM*, with respect to advertising content, Entravision submits that the advertisements should primarily focus on informing viewers of the steps they must take to continue receiving broadcast television signals after the February 17, 2009 DTV Transition deadline. Most importantly, advertisements and other educational and information announcements should highlight the need for viewers with analog television sets to obtain analog-to-digital converter boxes and should feature information on specific retail locations where such boxes are available. The advertisements should also refer to NTIA's converter box coupon program, the fact that the coupon program offers a subsidy for the converter box, that the coupon program does not involve any government registration or information

collection program, and prominently provide a website and/or toll-free telephone number where more information on NTIA's program can be obtained.

Entravision further believes that all television broadcasters should be included in the Commission's DTV Transition educational initiatives. Entravision urges the Commission to produce its own advertisements and make them available to Stations that cannot afford to produce ads independently. In undertaking the preparation of those advertisements, the Commission should consult with and take into consideration the recommendations of those groups that constitute the over-the-air viewing base: low income, elderly, minority, foreign-language, and Hispanic viewers. Any broadcasters willing and able to produce their own ads should be permitted to do so, as long as such ads are in English and Spanish and provide information on the DTV Transition options available to consumers, including the purchase of a converter box and the NTIA coupon program. The Commission should offer to create a repository for generic DTV Transition advertising that broadcasters offer for fellow broadcasters and expedite the availability of such advertising to interested Stations. The broadcasting of DTV Transition ads should commence as soon as practicable and should run across all dayparts until the DTV Transition is completed.

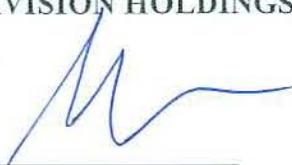
Entravision supports subjecting broadcasters to certain reporting requirements, as periodic reports to the Commission will provide a good means of tracking initiative efforts and gauging consumer awareness. However, Entravision does not believe forfeitures are warranted. Informing consumers about the DTV Transition is in broadcasters' best interests; enforcement efforts would thus amount to a waste of Commission resources as broadcasters will voluntarily comply with, and in most cases

surpass, the Commission's consumer education requirements. As for establishing more formal means of tracking consumer awareness of the DTV Transition, Entravision submits that third parties, other than broadcasters, should be responsible for such monitoring efforts, as broadcasters do not have any particular expertise in polling or consumer awareness studies.

In sum, Entravision supports the Commission's proposal to require broadcasters to air DTV Transition public service announcements and urges the Commission to require that such ads are broadcast in Spanish as well in English in communities where there are Spanish-speaking populations. By requiring broadcasters to provide clear information on key DTV Transition steps and related options available to consumers, including the availability of converter boxes for analog viewers, Entravision believes that the Commission's educational campaign will help ensure the entire viewing public's participation in a successful DTV Transition.

Respectfully submitted,

**ENTRAVISION HOLDINGS,  
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