



At the Commission's urging, Verizon<sup>1</sup> is in the process of transitioning its innovative new video offering known as FiOS TV to an all-digital service. Verizon is developing a comprehensive plan to educate its video subscribers about that transition, and is also voluntarily participating in broader efforts to educate the public about the wholly separate over-the-air broadcast transition. Under these circumstances, the Commission should not impose additional requirements on Verizon or other video or telecommunications providers to advertise about the broadcast transition. Doing so will create customer confusion, inflict added costs on video and telephone providers and their customers to advertise on behalf of a competitor, and would raise serious legal issues. Accordingly, the Commission should decline to adopt any requirement mandating that video or telecommunications providers include in their customer bills notices about the broadcast digital transition, as the Notice of Proposed Rulemaking in this proceeding proposes.

## **I. VERIZON'S PARTICIPATION IN THE DIGITAL TRANSITION**

### **A. Verizon's Video Service and Its Transition to All-Digital Service**

Verizon launched its competitive video service, FiOS TV, in 2005. FiOS TV is bringing sorely needed wireline video services competition to households across the nation.

Since Verizon rolled out FiOS TV, all of its programming has been available to customers in digital form. Although Verizon does not sell a separate analog tier or rent analog set-top boxes, it currently simulcasts a small subset of channels, including local

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<sup>1</sup> The Verizon companies ("Verizon") participating in this filing are the regulated, wholly-owned affiliates of Verizon Communications Inc.

broadcast channels, to customers in analog format. This analog simulcast was primarily intended to allow customers to watch programming on a second or third analog television without a set-top box or digital adaptor.

As part of its ongoing commitment to extending the benefits of digital technology to its subscribers and promoting the digital transition and technological innovation, however, Verizon has committed to terminate this analog simulcast and to go “all digital.” By February 17, 2009, the date on which broadcasters must cease broadcasting analog signals, Verizon’s network and video service will be exclusively digital.

Verizon’s transition to all-digital video services will not only permit Verizon to offer FiOS TV subscribers more programming and advanced features but will also promote the Commission’s goals surrounding the broadcast digital transition. By eliminating its analog simulcast, Verizon will free up bandwidth that can be used for additional digital programming and in particular increase Verizon’s offering of high-definition programming. These new offerings will provide additional incentives for consumers to purchase digital equipment, which in turn will help facilitate the nation’s overall transition to exclusively digital services. *See Bend Cable Commc’ns, LLC, d/b/a BendBroadband Request for Waiver of Section 76.1204(a)(1) of the Commission’s Rules*, 22 FCC Rcd 209 ¶ 24 (2007) (noting that increased availability of high-definition content may “facilitate the DTV transition by creating greater incentives for [video] subscribers to acquire digital television sets”). As the Media Bureau has recognized, “the ability to rapidly migrate to an all-digital network would produce clear, non-speculative public benefits, particularly when considered in the context of the Commission’s goal of promoting the broadcast television digital transition.” *Consolidated Requests for Waiver*

of Section 76.1204(a)(1) of the Commission's Rules, *Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices*, 22 FCC Rcd 11,780 ¶ 58 (2007) (“*Waiver Order*”) (internal quotation marks and footnote omitted).

B. Verizon's Plan to Notify Its Customers of Its Transition to All-Digital Programming

Consumer education is a critical component of Verizon's migration to exclusively digital programming. A transition without clear and properly timed notices would be disruptive to existing customers and could impair the goal—shared by Verizon and the Commission—of promoting the digital television transition. As the Media Bureau noted, “[i]t is important that [video] operators notify their analog customers about the impending transition to an all-digital network[] to ensure that subscribers understand that devices that are not equipped with CableCARDS will not receive cable service without a set-top box, and to provide those subscribers with ample time to order CableCARDS or request set-top boxes from their providers.” *Waiver Order* ¶ 62 n.253.

Verizon is developing a comprehensive plan to educate its subscribers about its digital video transition. Verizon plans to notify its subscribers of this transition repeatedly through a variety of mechanisms, including separately printed notifications and billing inserts as well as through announcements provided over its video system, and (where appropriate) e-mail communications. As a competitive provider, Verizon has a strong incentive to fully inform its customers of its digital migration plans and how those

plans will impact their video service, and to avoid disruption to, or unnecessary burdens on, those customers.<sup>2</sup>

C. Verizon's Efforts to Educate the Public About the Over-the-Air Broadcast Transition

Although Verizon's video services are not affected by the over-the-air broadcast transition, Verizon is voluntarily participating in national efforts to educate consumers about that change in television broadcasting. Among other things, Verizon is a member of the Digital Television Transition Coalition, a group of businesses, trade groups, and grassroots organizations whose mission is to educate consumers about the analog to digital switch in over-the-air broadcasting. The Coalition uses marketing and public education strategies to disseminate accurate information about the transition. The Coalition's website also is a comprehensive resource for information on the transition. *See* Att. A (materials from the Coalition's web site).

In addition to its membership in the Coalition, Verizon has briefed organizations representing consumers, seniors, the disabled, and the civil rights community, among others, on the broadcast transition and the implementation of the converter-box coupon program. Participants in the briefing were given packets of material (including both

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<sup>2</sup> In its order granting Verizon a waiver of the set-top box integration ban for certain set-top boxes, the Media Bureau required providers migrating to an all-digital network to "notif[y] all of [their] analog customers of [their] plans to go all digital at least one year in advance of that event and again six months in advance of that event." *Waiver Order* ¶ 62. Verizon has requested that the Commission clarify that providers may provide notice on a shorter, but still reasonably timely basis keyed to the company's transition plans. *See* Verizon's Application for Review and Petition for Clarification of the Media Bureau's Memorandum Opinion and Order, *Consolidated Requests for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, CS Docket No. 97-80, at 18-19 (July 30, 2007). In particular, Verizon has requested that the Commission make clear that the Bureau's general policy of requiring twelve-month advance notice does not preclude companies from providing notice on a shorter time frame when they seek to migrate their services sooner than the February 2009 deadline. *Id.* at 19.

English- and Spanish-language materials) from Verizon, the National Telecommunications and Information Administration, the Consumer Electronics Association, and the DTV Transition Coalition. *See, e.g.*, Att. B (Verizon educational presentation on the broadcast transition). Verizon plans to undertake other similar education efforts in the future.

## **II. REQUIRING VIDEO AND TELEPHONE PROVIDERS TO MAIL NOTICES ABOUT THE BROADCAST TRANSITION WOULD BE INAPPROPRIATE**

The Commission’s Notice of Proposed Rulemaking in this proceeding seeks comment on a number of proposals that would require industry participants to take various mandatory steps to inform consumers about the over-the-air broadcasters’ transition from analog to digital transmission—a completely distinct transition from Verizon’s commitment to make its network all digital. *See DTV Consumer Education Initiative*, Notice of Proposed Rulemaking, 22 FCC Rcd 14,091 (2007) (“*NPRM*”). The *NPRM* includes proposals not only to require broadcasters themselves to provide such information—clearly the most direct and likely most effective way to notify members of the public who rely on over-the-air broadcasting—but also to require broadcasters’ competitors, such as video providers like Verizon, and telephone service providers to do so as well. In particular, the *NPRM* seeks comment on (1) a requirement that all video providers insert periodic notices in customer bills that inform customers about the broadcast transition and “their customers’ future viewing options,” with civil penalties for noncompliance, and (2) a requirement that telecommunications carriers that receive funds under the Low Income Federal universal service program provide such notice. *See*

*NPRM ¶¶ 9, 17.* The Commission should not adopt either of these potential requirements, for neither of them will advance the Commission’s objective of preparing consumers for the broadcast digital transition.

1. Requiring video and telecommunications providers to insert periodic notices about the broadcast transition in their customer bills would not enhance public awareness of the over-the-air digital migration in any meaningful way. Customers of video providers like Verizon, by definition, receive television programming from a source other than over-the-air broadcasting. As a result, sending this group of subscribers a notice about changes in a wholly separate and, indeed competing, technology will not ensure that those individuals most at risk of losing access to free over-the-air broadcasting understand the impact of the broadcast transition.

Indeed, requiring video providers to insert such notices in their customer bills would be counterproductive—particularly in the case of video providers performing their own transition to all-digital services during the same timeframe as the proposed broadcast transition notices. As noted, Verizon intends to mail its customers notice of its own migration to an all-digital network, and other video providers transitioning to all-digital video services are required to do the same. Requiring such providers to include additional notices about a separate “digital transition” in a completely different technological medium (whose services its own customers likely do not even use) will only confuse notice recipients. For example, if a video provider plans to transition one particular service area to all-digital transmission on November 1, 2008, it would send notices highlighting that date and explaining to subscribers what equipment they need to adjust to that change. If that provider were required to, at the same time, spotlight

February 17, 2009 as the key date and explain what viewers must do to preserve their ability to retain over-the-air signals—something different than what they need to do to accommodate the changes in their wireline video service—confusion inevitably will ensue. Consumers will be left wondering what date will affect them, what they must do—and what they don't need to do—to avoid service disruptions. For example, to the extent a broadcast notice would suggest that customers need to acquire new equipment in order to continue receiving over-the-air signals, such notices could well be confusing to the provider's video customers who already have the equipment required to receive digital service.

The notice requirements contemplated in the *NPRM* would also be burdensome to video providers in general, and providers transitioning to all-digital in particular. Providers transitioning to all-digital are already investing significant resources in migrating their video services to an all-digital format and in providing customers with clear and timely notice of that change. Some of these providers, including Verizon, are also voluntarily supporting national efforts to educate the public about the over-the-air transition. Mandating that video providers add to these voluntary efforts by mailing a notice to each of their customers would increase these costs, with few offsetting benefits to the public. Indeed, were Verizon required to mail notices to its customers of both digital transitions, it would likely have to modify its bill inserts about its own digital migration—thus, potentially making its own notices less effective—in order to minimize the confusion that would arise from advising customers about two different transitions.

2. Requiring telecommunications service providers to send notices about the broadcast transition to their telephone customers would generate similar confusion.

Because telephone service has no relationship whatsoever to over-the-air television broadcasting, inserting notices about broadcast television in a telephone bill would raise more questions than it would answer (for example, does this mean my phone company is now involved in broadcast television? How will the transition to digital television programming affect my existing phone service? Do I need special equipment to make sure my phone stays on?). Moreover, these notices inevitably will lead many customers to call telephone companies' service offices, which in turn will cause yet more confusion over why telephone customers are receiving notices about broadcasting from their phone company. At the same time, such calls will not assist customers accommodate the broadcast change because telephone customer service offices are not equipped to assist with or troubleshoot issues concerning over-the-air broadcasting.<sup>3</sup>

3. Finally, other consumer education initiatives would be far more effective at ensuring that no household loses access to free over-the-air broadcasting on February 18, 2009. As the *NPRM* proposes, broadcasters can be required to carry public service announcements with information about the change. Such announcements would be the most effective way to reach the population most in need of information about the

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<sup>3</sup> The *NPRM*'s proposal to impose "reporting requirements by 700 MHz auction winners" is likewise inappropriate. *Id.* ¶ 17. These auction winners will have purchased spectrum that by federal statute must be cleared by a date certain, and will not be engaged in any aspect of clearing or transitioning over-the-air broadcast customers. Thus, auction winners have no apparent reason to directly inform broadcast customers of the transition. Indeed, even notices by auction winners to their own customers would not significantly enhance public awareness of the broadcast transition for the same reasons that such notices by video and telephone providers would not: education efforts aimed specifically at wireless customers would not target those who rely on over-the-air broadcasting and would generate confusion among notice recipients as to why wireless service providers are conveying information about television service. Moreover, some auction winners may include new entrants who will not have any wireless customers with whom to communicate until long after the broadcast transition takes place.

broadcast transition, i.e., broadcast television viewers. Requiring such television announcements, moreover, would be a fair way to enhance public awareness of the transition—in contrast to a requirement that broadcasters’ *competitors*, like wireline video providers, take mandatory steps that go beyond their already significant voluntary efforts. The Commission also could conduct its own education campaign or encourage other industry members that have not undertaken efforts to educate the public about the transition, as Verizon has, to voluntarily participate in such efforts.

### **III. REQUIRING VIDEO AND TELEPHONE PROVIDERS TO TELL THEIR CUSTOMERS ABOUT THE BROADCAST TV TRANSITION WOULD VIOLATE THE FIRST AMENDMENT**

The Commission should also focus its attention on announcements by broadcasters and on encouraging voluntary efforts by other non-broadcasting service providers, because requiring video providers and telecommunications carriers to insert notices about the over-the-air broadcast transition in their customer bills would be unconstitutional. The First Amendment protects “both the right to speak freely and the right to refrain from speaking at all.” *Wooley v. Maynard*, 430 U.S. 705, 714 (1977). The government may not force a speaker to express any particular message. “[T]he fundamental rule of protection under the First Amendment [is] that a speaker has the autonomy to choose the content of his own message. Since *all* speech inherently involves choices of what to say and what to leave unsaid, . . . one important manifestation of the principle of free speech is that one who chooses to speak may also decide what not to say.” *Hurley v. Irish-American Gay, Lesbian & Bisexual Group of Boston*, 515 U.S. 557, 573 (1995) (unanimous opinion) (citation, paragraph, and internal quotation marks omitted; emphasis in original).

In *Pacific Gas & Electric Co. v. Public Utilities Commission of California*, 475 U.S. 1 (1986), the Supreme Court held that an order issued by the California Public Utilities Commission (“CPUC”) requiring a utility to insert into its customers’ bills messages authored by third parties violated the First Amendment. *Id.* at 20-21 (plurality opinion); *id.* at 22 (Marshall, J., concurring in judgment). The plurality reasoned that the CPUC rule was unlawful because it required PG&E to disseminate speech expressing views different than its own and because the rule’s coerced access to PG&E’s billing envelopes risked forcing PG&E to alter its own speech to respond to the third party’s expressions. *Id.* at 13, 16 (plurality opinion). The plurality held that the CPUC order, which mandated inclusion of inserts based on the message that they expressed, constituted a content-based restriction that triggered strict scrutiny. *Id.* at 12-13, 19. The CPUC rule failed this standard because it was not narrowly tailored to serve a compelling state interest. *Id.* at 19-20 (reasoning that alternate means to achieving the state’s interest in promoting fair and effective utility regulation were available and concluding that the state’s interest in making a variety of views available was insufficient because “the State cannot advance some points of view by burdening the expression of others”).<sup>4</sup>

Consistent with this holding, the Supreme Court has held invalid a wide range of governmental efforts to compel speakers to provide access to third parties that wish to express views that the speaker may not endorse. *See, e.g., Wooley*, 430 U.S. at 717 (invalidating requirement that drivers carry state’s message on their license plates);

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<sup>4</sup> Justice Marshall reasoned, *inter alia*, that requiring PG&E to give third parties space in its envelopes that it “would otherwise use for its own speech, . . . necessarily curtailed [PG&E’s] use of its own forum.” *PG&E*, 475 U.S. at 24 (Marshall, J., concurring in judgment). “While the interference with [PG&E’s] speech is, concededly, very slight,” he concluded, “the State’s justification—the subsidization of another speaker chosen by the State—is insufficient to sustain even that minor burden.” *Id.*

*Miami Herald Pub. Co. v. Tornillo*, 418 U.S. 241, 256-58 (1974) (invalidating law mandating that newspapers print candidate responses to critical news stories); *Hurley*, 515 U.S. at 572-73 (invalidating requirement that parade organizers allow a particular marching contingent to walk in their parade).

The First Amendment's prohibition on compelled speech applies not only to expressions of political points of view, but also to speech on factual matters. For example, in *Riley v. National Federation of the Blind of North Carolina, Inc.*, 487 U.S. 781 (1988), the Court struck down a state law requiring charitable fundraisers to disclose to potential donors the percentage of charitable contributions collected during the previous twelve months that were actually turned over to the charity. *Id.* at 795-97. The Court found no difference between compelled statements of opinion and compelled statements of fact. "[E]ither form of compulsion," the Court concluded, "burdens protected speech." *Id.* at 797-98. Likewise, in *United States v. United Foods, Inc.*, 533 U.S. 405 (2001), the Court held that a program requiring mushroom producers to subsidize generic messages about mushrooms violated the First Amendment. *Id.* at 416; *id.* at 411 (noting the government's argument that the "mandated scheme does not compel the expression of political or ideological views" and stating that "there is no apparent principle which distinguishes out of hand minor debates about whether a branded mushroom is better than just any mushroom").

The *NPRM's* proposal to require video providers or telecommunications carriers to insert notices about the broadcast transition in customer bills, presumably on pain of civil penalty, is unconstitutional under these standards. Like the order at issue in *PG&E*, the *NPRM's* proposed requirement would deny a video or telecommunications provider

like Verizon both its right to refrain from speaking and its right to select its own message. The broadcast notice mandate would force Verizon to disseminate a third party's message about over-the-air broadcasting; Verizon would otherwise decline to carry this message in its customer bills, instead communicating with its customers only about its own digital transition. The *NPRM*'s coerced access requirement also would risk forcing Verizon to alter its own message and could crowd out Verizon's speech. *See PG&E*, 475 U.S. at 16; *Tornillo*, 418 U.S. at 256-57 (statute requiring newspaper to print candidates' statements held unconstitutional because, *inter alia*, the newspaper had only a finite amount of space in which to print stories of its choosing). As noted, requiring video providers to mail notices to their customers about the broadcast transition could require Verizon to modify its own mailings about its own FiOS TV digital transition and would deny Verizon the ability to use the space in its billing envelopes for other notices or information it would like to convey to its subscribers.

Also like the CPUC rule in *PG&E*, the *NPRM*'s proposed notice requirement is content-based and therefore subject to strict scrutiny. The *NPRM*'s requirement would dictate the content of the speech Verizon would have to communicate in its bill inserts—namely, speech explaining the broadcast transition. *See PG&E*, 475 U.S. at 14-15; *see also Riley*, 487 U.S. at 795 (“Mandating speech that a speaker would not otherwise make necessarily alters the content of the speech.”). The *NPRM*'s proposed notice requirement fails strict scrutiny because it is not narrowly tailored to serve a compelling governmental interest. Educating consumers about the broadcast digital transition may be important, but it is not the kind of interest that the courts have recognized as compelling. *See, e.g., Haig v. Agee*, 453 U.S. 280, 307 (1981) (national security is compelling interest). In

addition, the proposed requirement is not narrowly tailored to that interest. As explained above, requiring video and telecommunications service providers to mail notices to their customers about the broadcast transition is overbroad in that it would compel them to send notices to customers who will not be affected by the broadcast digital transition. Indeed, in the context of video service customers, the notice recipients would all be purchasers of an alternative video service that is unaffected by the over-the-air transition. Such a requirement, moreover, would not further the Commission's objective of enhanced public awareness, for requiring video providers to send notices to their customers about the broadcast transition at the same time that they are mailing information about their own digital migrations will serve only to confuse, not clarify, the public's understanding of each of the separate digital transitions.

At the same time, the government has other tools to educate the public about the broadcast transition that would not burden video or telecommunications providers' speech rights. In addition to information provided by broadcasters themselves, the government could undertake a public education campaign. *See Riley*, 487 U.S. at 800 (noting that the state may itself publish information as an alternative to mandatory disclosure requirement, which "would communicate the desired information to the public without burdening a speaker with unwanted speech"). Or the government could encourage voluntary participation in activities like those that Verizon is already undertaking. In light of these alternatives, the *NPRM's* proposed requirement is not the least restrictive means of achieving the Commission's objectives.<sup>5</sup>

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<sup>5</sup> The Supreme Court's rulings upholding cable must-carry rules do not support the constitutionality of the *NPRM's* proposed notice requirement. *See Turner Broad. Sys., Inc. v. FCC*, 512 U.S. 622 (1994) (*Turner I*); *Turner Broad. Sys., Inc. v. FCC*, 520 U.S.

The Commission also asks who should be responsible for drafting any notices that it decides to require. *See NPRM* ¶¶ 9-10 (soliciting comments on whether the Commission should provide a “standard text” or “simply a list of points that must be conveyed”). But the *NPRM*’s proposed notice requirement is constitutionally infirm regardless of which entity drafts the specific text to be communicated. Even if video and telephone providers themselves are permitted to author their customer notices, a requirement compelling them to communicate any message about the broadcast transition still violates their First Amendment right to choose the content of their message and to refrain from speaking. If the precise message itself is dictated, the constitutional concern is even greater.<sup>6</sup>

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180 (1997) (*Turner II*). Unlike the Court’s conclusion that the must-carry rules were content-neutral, the *NPRM*’s proposed notice requirement mandates carriage of messages based solely on their content—information about the broadcast transition to digital technology. In addition, because Verizon is a new entrant in the video marketplace, it exercises no bottleneck power over video transmissions; in any event, no wireline video provider enjoys gatekeeper or bottleneck power over the medium the *NPRM* proposes be used to transmit notices to the public: the United States mail. *Compare Turner I*, 512 U.S. at 656-57 (relying on conclusion that cable operators enjoy bottleneck control over the transmission of programming on their systems and distinguishing law mandating access to newspaper pages from the must-carry rules because of cable providers’ control over access to their systems).

<sup>6</sup> A requirement for video providers or telecommunications carriers to provide notice of the broadcast transition is wholly unlike requirements for businesses to affix labels or otherwise disclose facts about their own services and products in order to prevent consumer deception or ensure user safety. *See, e.g., Zauderer v. Office of Disciplinary Counsel of Supreme Court of Ohio*, 471 U.S. 626, 651 (1985) (concluding that state could impose disclosure rules that “are reasonably related to the State’s interest in preventing deception of consumers” and upholding requirement that attorney disclose fee structure to prevent deception of potential clients). The *NPRM*’s notice proposal is not such a permissible disclosure requirement because it would require video and telecommunications providers to carry a third party’s message about *other suppliers’* products and because it has nothing whatever to do with preventing consumer deception or ensuring product safety. *See PG&E*, 475 U.S. at 15 n.12 (*Zauderer* does not permit states to require corporations to carry messages of third parties that conflict with the corporation’s interests); *United Foods*, 533 U.S. at 416 (compelled subsidy of speech not

#### IV. THE COMMISSION LACKS STATUTORY AUTHORITY TO ISSUE THE PROPOSED NOTICE REQUIREMENTS

The *NPRM* cites nine provisions of the Communications Act as the legal basis for its proposed rules: (1) section 151, (2) section 154(i), (3) section 154(j), (4) section 309(j), (5) section 325, (6) section 336, (7) section 338, (8) section 534, and (9) section 535. *NPRM*, App. A § B. None of these provisions imposes any obligations on telephone or video service providers with respect to the over-the-air broadcast transition let alone requires them to disseminate information about that transition to their customers. Indeed, nothing in these provisions says anything whatsoever that involves *telephone service providers* in the provision of over-the-air broadcasting. And the only thing these provisions say about *video providers* when it comes to over-the-air broadcasting is that they are obligated to carry broadcast channels on their systems. *See* 47 U.S.C. §§ 534, 535. These must-carry obligations, however, have nothing at all to do with consumer education about the digital transition in over-the-air broadcasting. Must-carry rules obligate cable providers to carry broadcast channels *on their own systems*—not to promote a wholly different means for consumers to receive such signals (e.g., over the air).

That the Commission generally has jurisdiction over the delivery of telephone and video services does not authorize the *NPRM*'s broadcast notice requirements. A provider's provision of a regulated service does not subject it to a regulatory agency's authority for all purposes. Rather, an agency is authorized to regulate the provider only

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analogous to a permissible disclosure rule because “[t]here is no suggestion in the case now before us that the mandatory assessments imposed to require one group of private persons to pay for speech by others are somehow necessary to make voluntary advertisements nonmisleading for consumers”).

with respect to the regulated services that the provider chooses to provide. *See, e.g., Greyhound Lines, Inc. v. Pub. Util. Comm'n*, 68 Cal. 2d 406, 411 (1968) (“It was early decided and remains the law that the perimeter of commission authority to order service modifications is staked out by the limits of a utility’s dedication or devotion of its property to public use.”); *id.* at 416 (question of utility commission’s authority to impose restriction on transportation common carrier turns on whether the carrier “has dedicated its resources to the enterprise or venture of providing commutation facilities to the populaces to be served under the order” (footnote omitted)); *cf. Great N. Rwy. Co. v. Minnesota*, 238 U.S. 340, 345-46 (1915) (“The business of a railroad is transportation. and to supply the public with conveniences not connected therewith is no part of its ordinary duty . . . . The demands upon a carrier which lawfully may be made are limited by its duty . . . .”). The *NPRM* oversteps these bounds by proposing to impose broadcast regulations on entities—video and telecommunications providers—that themselves do not provide broadcast service. Although those entities may be subject to Commission authority in how they provide *their own services*, they are not subject to Commission jurisdiction over *other services* that they have not chosen to provide. *See Greyhound Lines*, 68 Cal. 2d at 415 (“The purveyor of a public service is not bound to undertake a service different from that which he has professed to render” (internal quotation marks, alterations, and citation omitted)). If the Commission were authorized to extend its jurisdiction in this manner, it would lead to absurd results. For example, the Commission could require a telephone company to build a tower and begin providing over-the-air broadcast service. Or, the Commission could invoke its authority over BPL broadband Internet access service offered by power companies to require a power company to

supply back-up power to broadcasters. The Commission's jurisdiction does not extend this far. Accordingly, the Commission lacks the authority to impose broadcast notice requirements on video and telephone service providers as the *NPRM* proposes.

**V. CONCLUSION**

Verizon voluntarily is playing an active role in educating the public about the nation's transition to digital television and is also developing plans to educate its customers concerning Verizon's own digital transition. For the reasons explained above, the Commission should decline to require video and telecommunications providers like Verizon to take the further step of inserting notices about the over-the-air transition in their customers' bills.

Michael E. Glover  
*Of Counsel*

Respectfully submitted,

Edward Shakin  
William H. Johnson  
1515 North Courthouse Road  
Suite 500  
Arlington, VA 22201  
will.h.johnson@verizon.com

  
\_\_\_\_\_  
Henry Weissmann  
Aimee Feinberg  
Munger, Tolles & Olson LLP  
355 South Grand Avenue  
35th Floor  
Los Angeles, CA 90071

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*Attorneys for Verizon*

# **ATTACHMENT A**



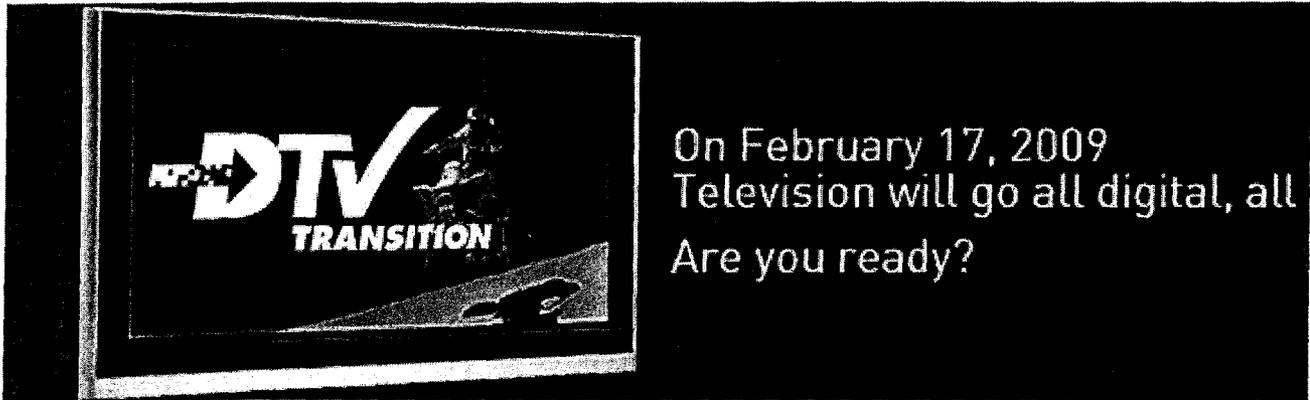
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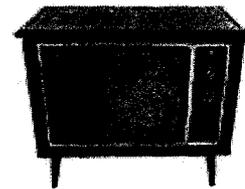
### The mission

of the Digital Television Transition Coalition is to ensure that no consumer is left without broadcast television due to a lack of information about the transition.

### A NEW ERA IN TELEVISION BROADCASTING

## Television has evolved over the years.

On February 17, 2009 (in **522 days, 8 hours, 26 minutes, 30 seconds**) the era of analog broadcast television in the United States will end as the nation completes its transition to an all-digital system. While this change will mark the end of the traditional analog method of broadcasting over-the-air television, it won't signal the end of free broadcast television, and your favorite broadcast programs and local television stations will still be available.



Consumers that subscribe to a "pay" television service such as cable and satellite aren't likely to be affected by the switch, but if you currently receive analog television over the air or via an antenna, you'll need to take action to continue watching your favorite stations.

## What, why & how?



Information and resources on this site will help ensure that you're prepared for the digital TV transition and that you'll continue to receive free broadcast television in the digital age.

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## What You Need To Know

TV sets that currently receive programming through cable or satellite are not likely to be affected by the transition to digital.

However, TV sets that rely on "over the air" broadcasting with an antenna (set-top or rooftop) to receive a signal will be affected by the cutoff of analog broadcasts in 2009. You will need to consider one of the following options:

- Purchase a digital-to-analog converter box that plugs into an existing television. The boxes, which are expected to cost between \$50 - 70 will be available for purchase in 2008. Beginning on January 1, 2008, U.S. households can request up to two coupons valued at \$40 each. Each coupon can go toward the purchase of a single set-top converter box that will allow you to continue watching FREE "over-the-air" television on an analog set.
- Subscribe to a cable, satellite or telecommunications service provider if all desired local broadcast stations are carried by that service.
- Purchase a new television set with a built in digital tuner.

Any of these steps will ensure that "over-the-air" television consumers will continue to receive programming.

[Click here](#) for more information about how to obtain HDTV, the highest quality in digital television.

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## The Highest Quality Digital Television

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### Upgrading to HDTV

HDTV offers vast improvements in picture quality and sound compared to today's analog TV. Receiving and watching HDTV at home is easy. There are two steps to getting HDTV:

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1. Get an HDTV set
2. Get the programming

### Get an HDTV set

The first step is getting the right TV set. Your choices include an integrated HDTV set with or without a digital tuner, or you may go with an "HD-Ready" set that requires an additional external HD receiver.

**Integrated HDTV:** An all-in-one solution that features a TV set with a high-definition screen and an integrated digital tuner. Sets with integrated tuners are ready to plug-and-play. Simply connect an antenna and you're ready to watch free local digital and HD broadcasts with no subscription.

**Integrated HDTV with Digital Cable Ready:** In addition to the above, this type of set features a built-in digital cable tuner for receiving digital and HD programming from your cable provider without the need for a separate cable set-top box. With this plug-and-play solution, you can simply plug the HDTV directly to your cable outlet and receive HD programming without a set-top box. A CableCARD, obtained from your cable provider is necessary to unlock scrambled programming. If you want Video-On-Demand or other premium "two-way" services, you still need a digital set-top box.

**HD Ready set:** Offers the same picture quality as an integrated set but requires an external tuner or set-top box to receive and display HD programming. Depending on how you receive your TV programming, you will need an HDTV tuner (for local broadcasts), an HD cable set-top box, or an HD satellite set-top box. This "component" solution works well for those who already rely on a set-top box for certain cable features (like Video-on-Demand) or for satellite service.

### Programming

You have three basic ways of receiving HDTV programming: over-the-air broadcasts, cable and/or satellite.

**Over-The-Air:** These broadcasts are free from your local stations. You'll need an indoor

or outdoor antenna ([www.antennaweb.org](http://www.antennaweb.org)) depending on your location.

**Cable:** Most cable operators provide optional HD programming, including many of your local stations.

**Satellite:** Like cable, satellite offers optional HD programming and, in many markets, includes HD feeds from local television stations.

To find out if your favorite shows are available in HD, visit [www.titantv.com](http://www.titantv.com) for a complete list of local and national HDTV programming.

Depending on which HDTV set you choose (Integrated HDTV, Integrated HDTV with Digital Cable Ready or HD Ready) and which programming method you prefer (Over-The-Air, Cable or Satellite) additional equipment may be required, such as a set-top box, antenna or satellite dish.

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## Learn More Online

FCC: Countdown to Digital Television

FCC Consumer Facts - Digital Television

Antenna Web - Find the Right Antenna

MyCEknowhow - Learn About your CE Devices

CEA Connections Guide - Connect Your CE Devices

LG Electronics - Back to the Basics: How to Set Up Your New HDTV

CERC - The Transition to Digital Television

What you need to know about the DTV Transition

NCTA - Receiving HDTV via cable

SBCA - Receiving HDTV via satellite

CTAM - This is Cable HDTV

NTIA - Digital Television Transition and Public Safety

Are you Ready? DTV Transition Coalition 1-pager

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**Your local library is also a great resource for information about the digital TV transition. Click here to locate your nearest public library.**

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## Frequently Asked Questions

**What is digital television (DTV)?**

**What is analog television?**

**What are the benefits of digital television?**

**What is the digital TV transition?**

**When will the DTV transition be complete?**

**Will I need a new TV?**

**How do I get a set-top converter box for my analog television?**

**What is the Digital-to-Analog Converter Box Assistance Program?**

**How can I prepare for the DTV transition?**

**What is the difference between integrated DTVs and DTV monitors?**

**What do DTV sets look like and what will they cost?**

**Will I need a special antenna to receive DTV over-the-air?**

**Do I already have DTV via digital cable or satellite?**

**What about my VCR, DVD player and camcorder? Will I be able to use them with an HDTV or DTV set?**

**Are DTV and HDTV the same thing?**

**How does digital TV use closed captions?**

### **What is digital television (DTV)?**

Digital television (DTV) is a new type of broadcasting technology that is transforming television as we now know it. By transmitting the information used to make a TV picture and sound as "data bits" (like a computer), a digital broadcaster can carry more information than is currently possible with analog broadcast technology. The difference between analog and digital broadcasting is similar to that between compact discs and cassette tapes.

Digital TV offers a better viewing experience with vastly improved picture and sound quality. DTV is also more efficient than analog TV technology so broadcasters will be able to produce additional signals using the DTV system.

### **What is analog television?**

Analog television service is the traditional method of transmitting TV signals and has been the standard broadcast technology since the inception of television. Analog television service isn't as efficient as DTV. It uses up much more valuable spectrum that - once the DTV transition is completed - will be provided to public safety organizations, such as first responders including fire and police departments.

Remaining spectrum will be auctioned off for the production of new services.

Analog broadcasting will continue until the end of the transition period, which currently is set for February 17, 2009. Most television stations will continue broadcasting their programming in both analog and digital signals until then.

**What are the benefits of digital television?**

Digital technology allows the transmission of pictures with higher resolution for dramatically better picture and sound quality than currently available. DTV also allows the transmission of several TV programs at once - called "multicasting." DTV technology can also be used to provide interactive video and data services that are not possible with "analog" technology.

An equally important, but often overlooked benefit of DTV is that it will free up scarce and valuable spectrum for public safety and new wireless services. This is possible because the modern technology of DTV is more efficient than analog TV technology, allowing for many new and critical uses of this very limited resource.

**What is the digital TV transition?**

The digital TV (DTV) transition is the switch from traditional analog TV to digital TV, a modern technology with many benefits. February 17, 2009 is the deadline by which traditional analog TV service will be shut off. The DTV service will be what remains. Most television stations are currently broadcasting their programming in both analog and digital until February 17, 2009. Analog television sets receiving free, over-the-air programming will still work after that date, but owners of these TVs will need to acquire converter boxes to change digital broadcasts back into the old analog format. Converter boxes will be available from consumer electronics retailers at that time. If you're a cable or satellite subscriber, you aren't likely to be affected by the DTV transition, but you may want to check with your cable or satellite provider if you have questions about your service.

**When will the DTV transition be complete?**

The final transition is February 17, 2009. At that point, broadcasting of the current "analog" channels will end and the spectrum that had been used for analog transmission will be put to other uses. Until the transition to DTV is complete, television stations will continue broadcasting on both their digital and analog channels.

**Will I need a new TV?**

Your current television will work as it does now until analog broadcasting stops. Even after the transition is over, your current TV will not become obsolete. A set-top converter box can be used to receive broadcast DTV signals and change them into the format of your current television. In addition, if you use your analog set with a pay service like cable or satellite, it should continue to work as it always has.

**How do I get a set-top converter box for my analog television?**

By early 2008, set-top converter boxes will be available for purchase at electronics retailers. The cost of the box is expected to range from \$50-70.

Beginning on January 1, 2008, U.S. households can request up to two coupons for the converter boxes, which will be valued at \$40 each. Coupons will be mailed via the U.S. Postal Service, and consumers will have approximately three months to redeem them. Consumers who wish to retain their analog television sets may also switch to a cable, satellite or telecommunications service provider.

**What is the Digital-to-Analog Converter Box Assistance Program?**

On February 18, 2009, broadcast television stations will stop analog broadcasting and complete the transition to digital broadcasting. If you don't subscribe to cable or satellite services, you'll need either a television set capable of receiving DTV programming, or a digital-to-analog converter box.

Digital-to-analog converter boxes will make DTV signals viewable on analog TV sets. These converter

boxes will be available in retail stores during the transition. The National Telecommunications and Information Administration (NTIA) of the U.S. Department of Commerce is developing rules that will allow households to obtain coupons that can be applied toward the purchase of digital-to-analog converter boxes. For more information on the Digital-to-Analog Converter Box Assistance program, visit NTIA's DTV Coupon FAQ.

#### **How can I prepare for the DTV transition?**

Preparing for the DTV transition is easy and requires one of three steps by February 17, 2009:

- Purchase a new television set with a built in digital tuner.
- Purchase a digital-to-analog converter box that plugs into an existing television. The boxes, which are expected to cost between \$50 - 70 will be available for purchase in 2008. Beginning on January 1, 2008, U.S. households can request up to two coupons valued at \$40 each. Each coupon can go toward the purchase of a single set-top converter box that will allow you to continue watching free "over-the-air" television on an analog set.
- Subscribe to a cable, satellite or telecommunications service provider if all desired local broadcast stations are carried by that service.

Any of these steps will ensure that "over-the-air" television consumers will continue to receive programming.

#### **What is the difference between integrated DTVs and DTV monitors?**

An Integrated DTV set is a digital television with a built-in DTV receiver. If you have an Integrated DTV and live in an area served by a DTV broadcast station, you won't need any additional equipment, with the exception of an antenna to receive over-the-air DTV broadcast programming. Integrated TVs can usually receive and display current analog signals.

In contrast, a DTV-Ready *monitor* isn't capable of receiving over-the-air DTV broadcast programming without additional equipment. A DTV set-top decoder must be connected between the antenna and the monitor to receive and display over-the-air DTV programming.

Confirm with your retailer that the DTV receiver or set-top decoder is compatible with the DTV monitor that you're purchasing. Most monitors have a built in analog receiver and can display regular analog TV programming. They can also display standard resolution video from DVD players and VCRs.

#### **What do DTV sets look like and what will they cost?**

Most DTV sets have wider, more rectangular screens than current analog TVs. This widescreen format allows for images that are more like those shown in a movie theater. Like current TV sets, a range of sizes is available.

As with most new consumer electronics technologies, DTV sets have become less expensive since their introduction. Prices are expected to continue to decrease over time and will vary depending on screen size, display technology, and other features.

#### **Will I need a special antenna to receive DTV over-the-air?**

In general, dependable reception of DTV will require the same type of signal reception equipment that currently works to provide good quality reception of analog TV signals. If you now need a roof-top antenna to receive television, the same antenna generally will be needed to receive DTV. For specific information on using an antenna to receive local television broadcast channels visit [www.antennaweb.org](http://www.antennaweb.org).

#### **Do I already have DTV via digital cable or satellite?**

You may have DTV if you subscribe to the digital package and get digital programming. *But*, digital cable and satellite service aren't necessarily "DTV." Your cable or satellite system may be using digital technology as a more efficient way of delivering programming to your analog TV set. If you have an

analog television set, then you aren't viewing true DTV, even though the signal you're watching may be somewhat improved. In order to view true DTV and enjoy all the attributes of digital television service, you must view television signals on a new DTV set.

Similarly, in order to view programs in high-definition (HDTV), you must be equipped with a TV set capable of displaying pictures in high-definition. Your cable or satellite set-top box or the CableCARD from your cable company must provide HDTV channels. Otherwise, you must have an antenna that can receive digital HDTV signals over the air. Check with your cable or satellite provider if you have questions about your service.

**What about my VCR, DVD player and camcorder? Will I be able to use them with an HDTV or DTV set?**

HDTV and DTV sets are "backward compatible," meaning existing analog equipment (VCRs, DVD players, camcorders, video games, etc.) will work on digital TV sets, but not in high definition. Their video will be displayed in the maximum resolution that is available with each product.

**Are DTV and HDTV the same thing?**

No. HDTV, or high-definition television, is the highest quality digital television (DTV) available, offering more than five times the sharpness of today's analog television, along with digital surround sound capability. DTV is also available as EDTV (enhanced definition TV) or SDTV (standard definition TV), each with improved pictures and sound over today's analog televisions.

**How does digital TV use closed captions?**

Analog TV has only one format for closed captions in which the captions are encoded invisibly in the analog TV signal. Digital TV can support two formats. The second format is newer and offers more choices of font, color, and size, which can result in better visibility and ease of use. Digital TV carries captions of either format as data along with the digital audio and video content, but unlike analog TV, the captions are not embedded in the video signal. It is up to the originator of the programming to provide the captions for any given program and to select the format. When the captions are decoded and displayed, the resulting text and symbols appear on the screen. The caption decoding function, by U.S. government mandate, is included in all digital TVs that have a screen size 13 inches or larger. It is also included in all separate, stand-alone digital TV tuners (e.g., set top boxes or "STBs"). In either case, the digital TV tuner reads the closed caption data, interprets it, and writes it into the video so it becomes visible when the video is displayed on a screen. (More specifically, the captions are written on top of the video images.)

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## How to Contact the FCC

Do you still have questions about the DTV Transition? If so, please contact the Federal Communications Commission (FCC):

**Phone:** 1-888-CALL-FCC (1-888-225-5322)

**TTY:** 1-888-TELL-FCC (1-888-835-5322)

**Fax:** 1-866-418-0232

**E-mail:** [DTVinfo@fcc.gov](mailto:DTVinfo@fcc.gov)

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DTV GLOSSARY

## In Case You Were Curious...

### 4 X 3

This is a traditional TV aspect ratio, which refers to the screen's width as compared to its height.

### 16 X 9

This is the aspect ration for a "Widescreen" TV format, which more closely resembles a movie screen than a traditional TV.

### 5.1 Audio Format

This is a digital audio recording and playback system for home theater. It includes five channels (left, right, center, rear/surround left and right) plus a subwoofer channel. The major 5.1 channel standards are Dolby AC-3 and Philips Musicam.

### Advanced Television Systems Committee

Also known as "ATSC," the committee responsible for digital television standards and development, as well as all 18 formats of DTV.

### Analog TV

"Standard" television broadcasts analog TV. Analog signals vary continuously, representing fluctuations in color and brightness.

### CableCARD

Digital cable customers may obtain this security card in order to view high-definition scrambled programming and premium services without a set-top box.

### CRT (Cathode-Ray Tube)

A CRT ("picture tube") is a specialized vacuum tube in which images are created when an electron beam scans back and forth across the back side of a phosphor-coated screen. The regular "direct-view" TVs most people grew up watching have a single large picture tube, while CRT-based rear-projection and front-projection TVs use three CRTs: one each for the red, green, and blue primary colors. Each time the beam makes a pass across the screen, it lights up a horizontal line of phosphor dots on the inside of the glass tube. Images are created by rapidly drawing hundreds of these lines from the top to the bottom of the screen.

### Digital Cable Ready (DCR)

A "plug-and-play" DTV for digital cable customers that plugs directly into the cable jack and does not require a separate set-top box.

### Digital TV (DTV)

Television delivered and displayed using computer code (digital technology).

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**Enhanced Definition Television (EDTV)**

EDTV refers to a complete product/system that receives ATSC terrestrial digital transmissions and decodes all ATSC table 3 video formats, has active vertical scanning lines of 480 progressive (480p) or higher and receives, reproduces, and/or outputs Dolby Digital audio.

**EDTV Monitor**

EDTV monitor refers to a monitor or display that has active vertical scanning lines of 480 progressive (480p) or higher.

**EDTV Tuner**

EDTV tuner refers to a RF receiver that receives ATSC terrestrial digital transmissions and decodes all ATSC table 3 video formats. It outputs the ATSC table 3 720p and 1080 i/p and 480p formats with minimum active vertical scanning lines of 480. Alternatively, the output can be a digital bit stream output capable of transporting 480p, except the ATSC table 3 480i format can be output at 480i. It also receives and reproduces, and/or outputs Dolby Digital audio.

**High-Definition Television: (HDTV)**

HDTV refers to a complete product/system that receives ATSC terrestrial digital transmissions and decodes all ATSC table 3 video formats, has active vertical scanning lines of 720 progressive (720p), 1080 interlaced (1080i) or higher. Is capable of displaying a 16:9 image and receives, reproduces, and/or outputs Dolby Digital audio.

**HDTV Monitor**

HDTV monitor refers to a monitor or display that has active vertical scanning lines of 720 progressive (720p), 1080 interlaced (1080i) or higher and is capable of displaying a 16:9 image. Manufacturers are required to disclose the number of vertical scanning lines in the 16:9 viewable area, which must be 540p, 810i or higher to meet the definition of HDTV.

**HDTV-ready**

Term used to describe TVs that can display digital high-definition TV formats when connected to a separate HDTV tuner. These TVs generally have built-in tuners for receiving regular NTSC broadcasts, but not digital. An HDTV-ready TV may also be referred to as an "HDTV monitor."

**HDTV Tuner**

HDTV tuner refers to a RF receiver with the following minimum performance attributes:

- **Integrated Tuner** - An HDTV that has the tuner built into the set. It does not need a separate set-top box.
- **Receiver** - Receives ATSC terrestrial digital transmissions and decodes all ATSC table 3 video formats.
- **Outputs** - Outputs the ATSC Table 3 720p and 1080i/p formats in the form of HD with minimum active vertical scanning lines of 720p, 1080i or higher. Additionally, it may output HD for mats converted to other formats. The lower resolution ATSC Table 3 formats can be output at lower resolution levels. Alternatively, the output can be a digital bit stream with the full resolution of the broadcast signal.
- **Audio** - Receives and reproduces, and/or outputs Dolby Digital audio.

**Interlace Scan**

A way to scan vertical lines onto a TV picture by scanning all the odd lines first, then filling in the even lines.

**LCD (Liquid Crystal Display)**

Liquid Crystal Display technology is one of the methods used to create flat-panel TVs. Light isn't created by the liquid crystals; a light source (bulb) behind the panel shines light through the display.

The display consists of two polarizing transparent panels and a liquid crystal solution sandwiched in between. An electric current passed through the liquid causes the crystals to align so that light cannot pass through them. Each crystal acts like a shutter, either allowing light to pass through or blocking the light. The pattern of transparent and dark crystals forms the image. LCD technology is used in flat-panel, rear-projection, and front-projection TVs.

**LCoS (Liquid Crystal on Silicon)**

A projection TV display technology that sandwiches a layer of liquid crystal between a cover glass and a highly reflective, mirror-like surface patterned with pixels that sit on top of a silicon chip. These layers form a microdisplay that can be used in rear-projection and front-projection TVs. Manufacturers use different names for their LCoS-based technologies. JVC uses D-ILA™ or HD-ILA™, while Sony uses SXRD™.

**Letterboxed video**

On a TV screen with standard aspect ratio (4:3), letterboxed videos appear with horizontal black bars above and below the image. This is a method for displaying the entire picture, as seen in a movie theater.

**National Television System Committee**

The National Television System Committee, or NTSC, established our North American 525-line analog broadcast TV standard about 60 years ago. Although it is referred to as a "525-line" standard, we're only able to see 480 lines on a TV display. The ATSC digital broadcast standard will eventually replace NTSC.

**Pixel**

A pixel is the smallest picture element in a TV image. The more pixels in an image, the greater the resolution.

**Plasma**

A display technology enabling thin, lightweight TVs that can be hung on the wall. Plasma TV pixels are composed of gas-filled cells where an electric current is applied to create the TV image.

**Progressive Scan**

TV images are displayed using vertical lines. Progressive scan is a way to produce the vertical lines of a TV picture by scanning all the lines consecutively (progressively).

**Rear-projection TV**

As the name defines, rear-projection TV's display a TV image by projecting images on the back of a screen. These TV's are typically referred to as "big-screen" TVs. Digital microdisplay rear-projection technologies, including DLP, LCD, and LCoS, are most common now, and allow for more lightweight, space-saving designs.

**Resolution**

The amount of lines and dots (pixels) that make up a TV image. Typically, the higher the number of lines or pixels, the sharper and more detailed the picture will be.

**Simulcast**

The broadcasting of the same program on two different channels or frequencies. Until the DTV transition deadline, much of broadcast networks' DTV content must be simulcast with regular TV.

**Standard Definition Television (SDTV)**

SDTV is the baseline display and resolution for both analog and digital. Transmission of SDTV may be in either the traditional (4:3) or wide-screen (16:9) format.

**Upconversion**

The term used to describe the conversion of a lower resolution to a higher one. This process uses

technology to increase the number of pixels, frame rate or scanning lines.

**Viewing angle**

A TV's maximum usable viewing range from the center of the screen. 180° would be the maximum viewing angle.

**Widescreen**

Widescreen generally refers to an aspect ratio of 16:9, which is the optimum viewing ratio for DTV and HDTV broadcasts. Traditional TV sets have an aspect ratio of 4:3.

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ABOUT THE COALITION

## Helping Consumers Stay Informed

On February 28th 2007 the Digital Television Transition Coalition began fulfilling its mission to inform consumers of the February 17, 2009 switch from analog to digital television broadcasting. The coalition is comprised of business, trade and industry groups as well as grass roots and membership organizations that share an interest in a smooth transition. The core mission of the Digital Television Transition Coalition is to ensure no consumer is left without broadcast television due to a lack of information about the transition.

Beginning roughly two years before the end of analog broadcasting, the coalition uses marketing and public education strategies including paid and earned media placements to distribute consistent, unified and accurate information on the transition. Coalition members are encouraged to use the group's resources in their local and national outreach efforts and many of the largest stakeholders will augment the coalition's work with their own DTV transition campaigns. Through these privately funded efforts and other campaigns run or funded by the Federal Government, the February, 2009 end of analog broadcast television will find all consumers looking toward a bright digital future.

### DTV Transition Coalition Founding Members

Association for  
Maximum Service  
Television

Association for Maximum Service Television (MSTV)



Association of Public Television Stations (APTS)



Consumer Electronics Association (CEA)



Consumer Electronics Retailers Coalition (CERC)



Leadership Conference on Civil Rights (LCCR)

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LG Electronics



National Association of Broadcasters (NAB)



National Cable & Telecommunications Association (NCTA)

**DTV Transition Coalition Members**

- AARP
- Affinity Marketing
- Alabama Broadcasters Association
- Alaska Broadcasters Association
- American Association of People with Disabilities (AAPD)
- American Cable Association
- American Legislative Exchange Council (ALEC)
- American Library Association
- Archway Marketing Services
- Arizona Broadcasters Association
- Arizona - New Mexico Cable Communications Association
- Arkansas Broadcasters Association
- Association of Cable Communicators
- Association of Public Broadcasting Stations of New York (APBS)
- AudioQuest
- BestBuy
- Broadcom
- Cable Telecommunications Association of New York, Inc.
- Cable Television Association of Georgia
- California Broadcasters Association
- CENTRIS
- Circuit City
- Cisco Systems, Inc.
- CNET
- Colorado Broadcasters Association
- Community Broadcasters Association
- Connecticut Broadcasters Association
- Corporation for Public Broadcasting
- CTAM: The Cable & Telecommunications Association for Marketing
- Custom Electronics Design & Installation Association (CEDIA)
- Electronic Industries Alliance (EIA)
- Entertainment Industries Council, Inc. (EIC)
- Effros Communications
- Federal Communications Commission
- Florida Association of Broadcasters

Federal Citizen Information Center  
Georgia Association of Broadcasters  
Goodwill Industries International  
Greater New Orleans Broadcasters Association (GNOBA)  
Hawaii Association of Broadcasters  
High Tech DTV Coalition  
Home Theater Specialists of America (HTSA)  
  
Idaho State Broadcasters Association  
Illinois Broadcasters Association  
Indiana Broadcasters Association  
  
Information Technology Industry Council (ITIC)  
  
Iowa Broadcasters Association  
Iowa Cable & Telecommunications Association, Inc.  
Kansas Association of Broadcasters  
  
KCET  
Kentucky Broadcasters Association  
Kinsella/Novak Communications, LLC  
KTSF  
  
League of United Latin American Citizens  
Louisiana Association of Broadcasters  
  
Louisiana Cable & Telecommunications Association  
Maine Association of Broadcasters  
Maryland/D.C./Delaware Broadcasters Association  
Massachusetts Broadcasters Association  
Mexican American Opportunity Foundation  
Michigan Association of Broadcasters  
  
Minnesota Broadcasters Association  
  
Minority Media telecommunications Council  
Mississippi Association of Broadcasters  
Missouri Broadcasters Association  
  
Montana Broadcasters Association  
  
National Alliance of State Broadcast Associations (NASBA)  
  
National Association of Black Journalists (NABJ)  
National Association of Consumer Agency Administrators (NACAA)  
National Association of Latino Elected Officials  
National Association of Latino Independent Producers  
National Association of Manufacturers (NAM)  
National Association of Residential Property Managers (NARPM)  
National Association of Telecommunications and Advisors (NATOA)  
  
National Association of Counties (NACo)  
  
National Coalition on Black Civic Participation  
  
National Grocers Association (NGA)  
  
National Hispanic Media Coalition  
National Religious Broadcasters  
Navigant Consulting, Inc.  
Nebraska Broadcasters Association  
  
Nevada Broadcasters Association  
New Hampshire Association of Broadcasters  
New Jersey Broadcasters Association  
  
New Mexico Broadcasters Association  
New York State Broadcasters Association

North American Retail Dealers Association (NARDA)  
North Carolina Association of Broadcasters  
North Dakota Broadcasters Association  
Ohio Association of Broadcasters  
Oklahoma Association of Broadcasters  
Oregon Association of Broadcasters  
Panasonic Corporation of North America  
PCT International, Inc.  
Pennsylvania Association of Broadcasters  
Philips Consumer Electronics  
Plasma Display Coalition  
Public Broadcasting Service (PBS)  
RadioShack

Retail Industry Leaders Association  
Retirement Living TV  
Rhode Island Broadcasters Association  
Samsung Electronics  
Satellite Broadcasting and Communications Association (SBCA)  
South Carolina Broadcasters Association  
South Dakota Broadcasters Association  
Target  
Telecommunications Industry Association (TIA)  
Tennessee Association of Broadcasters  
Texas Association of Broadcasters

Texas Cable & Telecommunications Association  
Texas Instruments  
Thomson  
TitanTV Media  
U.S. Chamber of Commerce  
Utah Broadcasters Association  
Verizon  
Vermont Association of Broadcasters  
Virginia Association of Broadcasters  
Voices of September 11th  
Wal-mart  
Washington State Association of Broadcasters  
Washington Urban League  
Wisconsin Broadcasters Association  
Wisconsin Cable Communications Association  
WLMB-TV  
Wyoming Association of Broadcasters

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# **ATTACHMENT B**



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*Navigating the Transition  
To  
Digital Television*

*June 8, 2007*

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# Outline

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- ✓ **Digital TV Transition**
    - What is it?
    - Who will/will not be impacted?
  - ✓ **Implementing the Digital TV Transition**
  - ✓ **NTIA Program—Consumers**
  - ✓ **NTIA Program—Retailers**
  - ✓ **NTIA Program--Manufacturers**
-



# Digital Television Transition

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## What is the DTV Transition?

- Conversion of the television broadcast system from analog technology to digital television (DTV)
- February 17, 2009: Over-the-air “analog” television broadcasting will end.
- February 18, 2009: Local television broadcasters will broadcast exclusively digital signals.

## Who will/will not be impacted?

- Households using analog TV who rely on outside antennas and “rabbit ears” antennas will need D/A converter boxes to receive broadcast signals on TV sets.
  - Households, using analog TV, who use cable, satellite or other pay TV service—or have a digital TV—an additional converter box other than the existing Set-Top Boxes that may be required by the pay TV service provider will not be necessary to continue receiving broadcast programming.
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# Implementing the Digital TV Transition

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## Getting to February 2009:

- Congress directed the NTIA of the U.S. Dept. of Commerce to set up a coupon program.
- Initial fund: \$990 million: All households in the U.S. and its territories—not just those relying on over-the-air television will be eligible to request up to two \$40 coupons.
- Additional \$510 million: will be available if needed, upon certification by Congress.
  - ✓ eligibility for these coupons will be limited exclusively to over-the-air-only households.



# NTIA Program- Consumers

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## **Coupon Requests:**

- 1/1/2008-3/31/2009: Households must request coupons from NTIA.
  - Coupon requests will be taken via toll-free customer support center, a Web site, fax, and through the mail.
  - Upon request, a maximum of up to two coupons will be sent to households via the U.S. Postal Service.
  - Coupons will expire three months after they are mailed.
  - Each coupon will be worth \$40 toward the purchase of an eligible converter box from a certified consumer electronics retailer.
  - Coupons have no cash value and may not be resold.
  - Coupons will be electronically trackable and uniquely numbered.
-



# NTIA Program- Consumers

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## **Coupon Redemption:**

- Only one coupon can be redeemed per converter box.
- Consumers cannot combine coupons toward the purchase of a single converter box.
- Consumers cannot redeem coupons to purchase consumer electronics items other than eligible converter boxes.



# NTIA Program-Retailers

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## **Retailer Participation:**

- NTIA encourages the voluntary participation of consumer electronic retailers.
  - Certified retailers will agree to:
    - ✓ redeem valid coupons toward the purchase of coupon eligible converter boxes.
    - ✓ have systems in place capable of processing coupons electronically.
  - Train employees with NTIA-provided training materials.
  - Use commercially reasonable method to order and manage inventory.
  - Assist NTIA in minimizing incidents of waste, fraud, and abuse, including reporting suspicious patterns of customer behavior.
  - Retailers are not responsible for verifying household eligibility.
  - NTIA will pay retailers for valid coupon redemptions on a commercially reasonable basis.
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# NTIA Program-Manufacturers

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## **Manufacturers Participations:**

- NTIA relies on the voluntary participation of D/A converter box manufacturers.
- Manufacturers of coupon-eligible converter boxes will need to build devices that include specific features and meet certain performance specifications.
- Manufacturers are free to market converter boxes not compliant with the performance specifications identified in the final rule:
  - ✓ Such boxes would not be eligible for the coupon program.