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September 26, 2007

Via Electronic Filing

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: Report of *Ex Parte* Oral and Written Communications
MB Docket No. **07-148**
DTV Consumer Education Initiative

Dear Ms. Dortch:

On **September 25, 2007**, on behalf of the **Community Broadcasters Association** (“CBA”) I met and communicated **orally** with **Commissioner Jonathan S. Adelstein** and **Rudy Brioché**, the Commissioner’s Legal Assistant for Media Issues, to discuss matters of concern to the Class A and Low Power Television (“LPTV”) industries. During that discussion, I touched on matters at issue in the above-referenced rule making proceeding.

I repeated some of the matters discussed in CBA’s written comments filed on September 17, 2007, including the fact that Class A, LPTV, and TV Translators are not subject to the February 17, 2009, analog television shut-down deadline that applies to full power TV stations, and the number of stations not subject to the deadline is four times the number of stations that are subject to the deadline. CBA is concerned that publicity about the digital television transition will be misleading if it suggests that no over-the-air analog television service will be available after the full power deadline. Moreover, viewers of Class A and LPTV stations should not be misled into believing that they must buy digital receivers to continue to view these stations; and these consumers will be further misled if they are encouraged to subscribe to cable and satellite television services that do not carry Class A and LPTV stations.

In response to a question as to what the Commission could do to avoid these problems, I suggested that publicity about the digital transition should be fully informative; Class A and LPTV stations should be given additional opportunities to apply for digital companion channels;

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mutually exclusive digital companion applicants should be permitted to settle by selecting new channels that are not mutually exclusive rather than being forced into auctions; and Congress should be encouraged to pass legislation affording must-carry rights to all television broadcasters, not just full power TV broadcasters.

In addition, on **September 25, 2007**, the attached *written* letter was delivered by electronic mail to **Catherine W. Seidel, Chief**, and **Pamela Slipakoff, Chief of Staff**, of the **Consumer and Governmental Affairs Bureau**, asking that a statement from the **Community Broadcasters Association** and the **National Translator Association** be read at the Commission's Digital Television Consumer Education Workshop on September 26, 2007.

Very truly yours,

/s/ Peter Tannenwald

Peter Tannenwald
Counsel to the Community Broadcasters Association

Attachment

cc: (w/att) Commissioner Jonathan S. Adelstein
Rudy Brioché, Esq.
Catherine W. Seidel, Chief
Pamela Slipakoff, Chief of Staff