

December 12, 2007

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Communication
MB Docket Nos. 87-268 and 07-91

On December 11, 2007, David Donovan of the Association for Maximum Service Television met with Rudy Brioché, Legal Advisor to Commissioner Jonathan Adelstein.

MSTV highlighted a number of issues in the Third Periodic Review. One of the main concerns facing stations relates to their antenna patterns. In order to solve this problem, it is integral that the Commission allow stations returning to their analog channels to utilize non directional analog antennas and analog antenna patterns, as failing to do so may lead to reduced DTV coverage.

We also discussed issues concerning stations with side mount digital antennas. For a variety of technical reasons, stations simply cannot switch side mount and top mount antennas. Moreover, if forced to switch antennas to meet specific coverage requirements, many stations may have to terminate analog service this summer. MSTV urged the FCC to allow stations to continue operating with their digital side mount antennas until after the transition, and then have the stations replace these side mount digital antennas with top mounted antennas.

Finally, MSTV noted the importance of the Commission establishing an appropriate and flexible application process. This includes the creation of windows, rather than a waiver process, as well as the adoption of rules enabling stations to reduce and terminate their analog signals early in order to ensure a successful DTV transition. Finally, this will also require the implementation of one-step licensing. Without creating and facilitating these flexible rules and procedures, the DTV transition will not succeed on a timely basis. The attached slides were distributed at the meeting.

Respectfully submitted,

David L. Donovan
President

Attachment