March 20, 2008

BY ELECTRONIC FILING

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ***CS Docket No. 98-120***

Dear Ms. Dortch:

The subject of Active Format Description (AFD) has been raised in various comments and reply comments in this docket. As a consumer, I had not intended to submit formal comments, but the TV industry's regressive AFD positions must be challenged.

The FCC is poised to make a decision that choses between the interests of broadcasters and the interests of cable operators; I fear the interests of the American public will be left twisting in the wind, as usual.

Active Format Description (AFD) is an extremely important standard for people who own either an analog television connected to a digital-to-analog converter box, or a digital television with a 4:3 aspect ratio display. Commenters on both sides of the issue (broadcasters and cable operators) seem to agree on this, and yet both sides oppose AFD's timely implementation.

Without AFD, 4:3 TV viewers moving to digital signals will all too often be confronted with a tiny "postage stamp" picture, surrounded on all sides by a wide black border. How many 4:3 TVs are still going to be in use

as we approach the end of the DTV transition — a hundred million? More? **Consumers need AFD now!**

Because I rely on over-the-air broadcasts and use an analog TV with a digital converter box, I find the broadcasters' opposition to mandated AFD particularly irksome. I face the problem every day.

The NAB in their comments (at 5) said: "AFD is a consumer-friendly technology that permits broadcasters to optimize the viewer experience in the digital era." NBC (comments at 5) added: "Those consumers who receive the signal over-the-air thus benefit directly from inclusion of AFD in the broadcast data because AFD ensures that the programming – whether long-form or interstitial – is displayed using the aspect ratio best suited to it as determined by the programmer or content creator."

And yet as the cable operators pointed out, very few broadcasters have implemented AFD, despite the advantages for consumers.

The cable industry, on the other hand, wants us to believe AFD is just a glimmer in someone's eye, certainly not ready to be deployed in the foreseeable future. Amazingly, to support this position, they make this incredible statement:

> "Despite their references to active format description ("AFD") as a consumer-friendly technology, they fail to note that AFD is less than a year old, is not deployed by the vast majority of broadcasters, and is not a commercial reality." (Comcast reply comments at 3, 3/17/08)

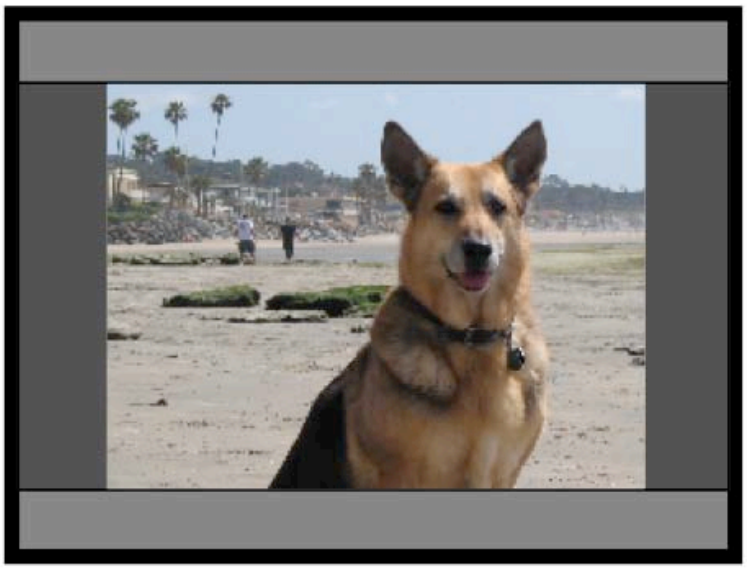
AFD is less than a year old?! Could that be? Apparently Comcast never had a look at the version of ATSC Doc. A/54A — "Recommended Practice: Guide to the Use of the ATSC Digital Television Standard," which is dated 4 December 2003, ***almost five years ago***.

Section 5.5 of that ATSC document, entitled "**Active Format Description (AFD),"** begins with the statement: "With the approval of Amendment 1 to A/53B, active format description data has been added to the ATSC Digital Television Standard." (Section 5.5 is attached)

Three years ago, in comments to the "Requirements for Digital Television Receiving Capability" proceeding (ET Docket No. 05-24, 7/6/2005), I argued for an early ban on 4:3 analog TVs, in part because of the problems resulting when programming formatted for widescreen digital TVs is viewed on 4:3 TVs. Here's a clip of the relevant paragraph, with illustration:

transition programming.

This will be especially true if older 4:3 reruns are reformatted (by adding side-bars) for digital broadcast to 16:9 TVs (process similar to non-anamorphic DVDs). Alternatively, if reruns are broadcast as 4:3 programs and the bars are added by the widescreen sets' own processors, there may be no problem for the NTSC 4:3 sets. If the former is the case, however, the actual image will fill only a little more than half the screen area. ATSC has developed standards to mitigate this sort of problem, but those standards will be ineffective if TV stations do not fully and correctly implement them. (See generally ATSC Doc. A/54A (12/4/03) §5.5)



4:3 TV displaying 4:3 programming that has been formatted for a 16:9 display.

Image area fills only 56% of screen.

At the time I naively believed the consumer electronics industry would not simply put digital receivers in the same old 4:3 analog TV models after analog sets were banned. It very quickly became clear that was exactly what TV manufacturers were planning. I then urged the FCC to require warning labels on digital TVs with 4:3 displays.

For at least five years TV professionals have, in the industry trade press, also pointed out the formatting problem for 4:3 TVs in the upcoming digital era. To no avail.

Because the implementation of AFD has not been seriously addressed in all those years, the problem of "postage stamp" pictures is more critical now than ever. The time to act is here, so that a solution can be in place before February 2009.

While it is true that NTIA-certified converter boxes are not *required* to respond to AFD, as NCTA noted in their reply comments, it is likely that all of the respectable name-brand converter boxes carried by major retailers will do so. My LG-made Insignia box (same as Zenith) appears to work flawlessly with AFD instructions, at least with two stations in the Raleigh, NC area (PBS and Univision). Widescreen programming is displayed properly with bars on top and bottom; native 4:3 programming completely fills the screen. Automatically.

The problem, of course, is with the other TV stations, including all the major commercial network affiliates. On those channels, native 4:3 programming looks like this:

Which brings to mind all those TV industry witnesses at Congressional hearings who insist they have a strong incentive to provide their customers with the best possible picture!

Of course technologically astute TV viewers can sit there with their finger on the remote control's zoom or aspect ratio control button to adjust the format manually, but will they? And should they have to?

Content formatting changes constantly, from program to program, from channel to channel, and with every new commercial or station promo. Should tens of millions of Americans be asked to keep their fingers on the remote button to change formats every few minutes, simply because broadcasters (and cable operators) don't want to be bothered with implementing AFD?

Even given that the manual option for many consumers with 4:3 TVs exists (apparently cable viewers may not have that option), it is likely that the great majority of those viewers will not understand why the picture is smaller than their screen, surrounded by black border on all sides.

If they don't understand why, they're not likely to know what to do about it (except perhaps to take the "defective" set or converter box back to the dealer). It's the people who could never figure out how to set the clock on their VCR that will have the worst of it. It's the population segments who are deemed to be "at risk" in the transition who will end up suffering the tiny postage stamp pictures (six inches high on a 13" TV).

Many of these people with 4:3 TVs only know how to change the channel and volume, especially seniors, who have difficulty learning new concepts. Many other people have never gone into their TVs' menus, or read the operating manual. These are the tens of millions of people who will be disenfranchised if AFD is not promptly implemented.

Therefore, the FCC should:

1) Require broadcasters to implement AFD as soon as possible, and certainly no later than the end of the transition.

2) Require CE manufacturers to incorporate AFD capability for any digital receiver product that is intended to support a 4:3 television display.

3) Ban future sales of televisions with 4:3 displays, and require warning labels on 4:3 TVs informing potential buyers that digital programming is quickly migrating to a widescreen format, and will not match the display on 4:3 televisions.

Best regards,

Chris Llana
Chapel Hill, NC