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| In the Matter of<br>Carriage of Digital Television Broadcast Signals: Amendment to Part 76 of the Commission's Rules;<br><br>Implementation of the Satellite Home Viewer Improvement Act of 1999:<br>Local Broadcast Signal Carriage Issues and Retransmission Consent Issues | )<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>)<br>) | CS Docket No. 00-96<br>CSR-5978-M |

In the **SECOND REPORT AND ORDER, MEMORANDUM OPINION AND ORDER, AND SECOND FURTHER NOTICE OF PROPOSED RULEMAKING** the Commission sought comment on several issues. My comments follow.

I am a five year subscriber to satellite television with a technical understanding of how DBS systems work as well as the understanding of how the end user – the public – is affected by decisions now facing the FCC.

The commission sought comment on carriage obligations under Section 338 of the Act. The commission is correct in stating that "not all" receivers connected to the DBS system will be HD compatible. While I have a certain level of trust in the satellite carriers not to strand "SD" customers by carrying stations in "HD" only, I agree that the FCC should *require* that *all* local stations carried also be carried in a "SD" receiver compatible format until the satellite carrier has deactivated all "SD" only receivers from their systems (or, alternatively, blocked reception of "SD" locals on receivers in markets where all available locals are not carried in "SD").

While I own a "HD" set and view "HD" programming, I believe that content is more important than format. Satellite providers should be encouraged to continue their "SD" local-into-local carriage in *all* markets that they currently serve. To make this service possible, satellite providers should be permitted to receive a "HD" signal from any station and transmit it to their customer in "SD".

If a station refuses to allow their signal to be downconverted to "SD" or refuses to provide a satellite carrier with a suitable "SD" signal for use this should not prevent the satellite carrier from carrying other more cooperative stations in the market. This would be the only exception to required "SD" mirroring ... but to better serve the public, I believe that no station should be allowed to prohibit the carriage of their channel in "SD".

I believe the IMMEDIATE goal of 2009 is to have every market available via satellite in "SD" that is currently available in "SD". This is a key to success of the digital conversion coming in February 2009 and is not contrary to the Order (which requires all "HD"s to be carried in markets where one "HD" is carried) since many of these markets will not have a single HD channel carried for many years.

On the issue of a single antenna – the rule as it stands today can still apply. All of the local market's channels in "SD" (including the required downconvert versions) must be on one antenna. All of the local market's "HD" feeds must be on one antenna. That (under current law) does not need to be the same antenna for "SD" and "HD" and does not need to be the same antenna as other programming offered. Continuing this interpretation of the rules will give satellite carriers the most flexibility as they migrate their systems over to "HD" carriage.

What has not been addressed is the carriage of "sub channels" of a digital feed. I believe that sub channels should be *permitted* on a channel by channel basis but not *required* on a "carry one/carry all" basis.

As noted ... the primary emphasis should be on continuing existing "SD" local channel feeds so customers, like me, do not lose their local programming. I appreciate the FCC's efforts in this regard.