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September 30, 2008

**BY ELECTRONIC FILING**

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

Re: Notice of *ex parte* communication in MB Docket No. 07-148, DTV Consumer Education Initiative

Dear Ms. Dortch:

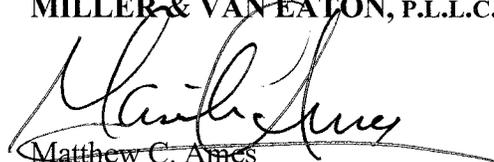
On September 29, 2008, Betsy Feigin Befus, Vice President and Counsel of the National Multi Housing Council, submitted by email the attached letter to Chairman Martin in connection with the matter identified above. Copies of the letter were sent to Commissioners Copps, Adelstein, McDowell and Tate, and to Monica Desai and Eloise Gore of the Media Bureau.

Please contact me with any questions.

Very truly yours,

**MILLER & VAN EATON, P.L.L.C.**

By

  
Matthew C. Ames

Attachment  
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September 29, 2008

The Honorable Kevin J. Martin  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Mr. Chairman:

I am writing to commend your efforts and the efforts of each of the Commissioners to prepare consumers for our nation's transition to digital television scheduled for February 17, 2009. Preliminary results of the Wilmington, North Carolina test show that a great number of individuals are indeed aware of the upcoming transition and have prepared for it by subscribing to a cable or satellite service, installing a converter box for their analog televisions, or purchasing a digital television.

The Commission and its staff have gone a long way toward raising awareness about the transition among the general public, and have provided basic advice to consumers to prepare for February 17, 2009, but some consumer groups need an individualized approach. Minority, low-income, non-English speaking, and elderly consumer households may particularly need assistance.

One way to accomplish more inclusive consumer preparedness in advance of the national transition is to conduct further field testing in markets with diverse consumer attributes. Coordination between the public and private sectors would be an effective part of the Commission's effort to fulfill its responsibility to prepare all consumers. The National Multi Housing Council (NMHC) is well positioned to provide some assistance to the Commission in this effort.

Based in Washington, DC, NMHC is a national association representing the interests of the larger and most prominent apartment firms in the U.S. NMHC's members are the principal officers of firms engaged in all aspects of the apartment industry, including ownership, development, management, and financing. NMHC advocates on behalf of rental housing, conducts apartment-related research, encourages the exchange of strategic business information, and promotes the desirability of apartment living. Nearly one-third of American households rent, and over 14 percent of households live in a multi-family rental apartment (buildings with five or more units).

We understand that many master antennas at apartment communities must be replaced or upgraded in order to enable residents who exclusively rely on over-the-air signals to have uninterrupted television access after February 17, 2009. We also appreciate that apartment owners can provide information to residents about their options to prepare for the digital transition. On February 3, 2008, NMHC staff met with Eloise Gore and other Commission staff to discuss our potential role. Subsequently, NMHC has had follow-up discussions with Commission staff on this issue and met with a representative of the National Telecommunications and Information Administration (NTIA).

NMHC has published articles about the transition in our newsletters and other communications, and we have posted numerous resources on our web site that are not only available to NMHC members but to the general public. We are providing information to the apartment industry about the transition prepared by the Commission, NTIA, the National Broadcasters Association, and the Consumer Electronics Association, which is available at [www.nmhc.org/goto/DTV](http://www.nmhc.org/goto/DTV). We have also invited Ms. Gore to tour an apartment community in the Washington, DC area to identify potential challenges and solutions for properties that provide analog signals to apartment residents via a master antenna.

We would be pleased to discuss further opportunities to work with the Commission in its effort to ensure that American consumers continue to have access to television after the transition to digital television next year.

Sincerely,

A handwritten signature in black ink that reads "Betsy Feigin Befus". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Betsy Feigin Befus  
Vice President and Counsel

cc: Commissioner Jonathan S. Adelstein  
Commissioner Michael J. Copps  
Commissioner Robert McDowell  
Commissioner Deborah Taylor Tate  
Monica Desai, Media Bureau Chief  
Eloise Gore, Associate Bureau Chief