

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Amendment of Parts 73 and 74 of the) **MB Docket No. 03-185**
Commission’s Rules to Establish Rules for)
Digital Low Power Television, Television)
Translator, and Television Booster Stations)
and to Amend Rules for Digital Class A)
Television Stations)
)

To the Commission:

**Comments from Nickolaus E. Leggett,
Political Scientist and Technologist**

I am one of the original petitioners for the establishment of the Low Power FM (LPFM) radio broadcasting service (RM-9208 July 7, 1997 subsequently included in MM Docket 99-25). I am also a certified electronics technician (ISCET and iNARTE) and an Extra Class amateur radio operator (call sign N3NL). I hold an FCC General Radiotelephone Operator License with a Ship Radar Endorsement. I am an inventor holding three U.S. Patents. My latest patent is a wireless bus for digital devices and computers (U.S. Patent # 6,771,935). I have a Master of Arts degree in Political Science from the Johns Hopkins University (May 1970). I am also one of the petitioners in the docket to establish a low power radio service on the AM broadcast band (RM-11287).

Low Power Television (LPTV) and America’s Poor People

My comments are directed at the Commission’s Further Notice of Proposed Rulemaking (MB Docket No. 03-185) and its potential impacts on poor and disadvantaged populations of television viewers. Many of the viewers of LPTV are low income people living in modest rural circumstances. These people live in older house

trailers or cottages and subsist on very limited incomes. If you need to be convinced of the reality of this, just take a casual drive in the rural South and you will see example after example of this living environment. Many of these homes are in mountainous terrain that is not well served by high-power television and radio broadcasters.

Analog Termination Date

The Commission has suggested a shutoff date in 2012 when the existing analog LPTV stations would have to convert to digital broadcasting technology. This shutoff date would be seriously damaging to these people who have few other options for receiving broadcasts.

The viewers themselves are often unable to afford digital converter boxes for TV reception. In addition, these converter boxes do not work very well in challenging propagation conditions such as rural distances and mountains. Indeed, my sister has had poor results with her converter box in New York City, which is hardly a rural location.

As the Commission itself points out, the LPTV stations are often dependent on viewer contributions and the stations have limited budgets to continue operating (Paragraph 9 Page 4). As any broadcaster will tell you, new digital broadcasting equipment is quite expensive. Thus imposing a shutoff date in 2012 will impose a major burden on these little community stations and it will force many of them to close down entirely.

I think that it is unethical and improper to shut down these little stations that provide broadcasting for some of America's most under-privileged populations.

An Alternative Termination Date

An alternative shutoff date in 2015, approximately five years from now, would

tend to mitigate the impact on these low income groups and their LPTV service. At the end of this five-year period, many of the existing old analog television receivers will be reaching the end of their useful life, and the analog gear in the broadcast stations will probably be due for replacement.

At this point, the technology marketplace will move these stations and their viewers towards digital operation and the replacement digital equipment will be lower in cost. In addition, the transition period is long enough so that the economic impact will be gradual in nature and more affordable.

In addition, there should be an emergency provision where specific LPTV stations would be allowed to operate in analog mode after the 2015 deadline has passed (as suggested in Paragraph 16 on Page 6). No community should ever be forced to go dark because of new FCC rules for LPTV stations.

LPTV Stations versus Mobile Broadband Services

The Commission states that one of the reasons for the LPTV analog shutdown is to accommodate new mobile broadband services (Paragraph 13 on Page 6). This is probably a misplaced priority. Television service for disadvantaged Americans is more important than adding still more communications services for relatively affluent broadband users who already have numerous other communications options available.

In general, the Commission seems to be overly enthusiastic about mobile broadband communications. In addition, the Commission does not seem to recognize the significant value of traditional broadcast communication which is actually a very efficient use of electromagnetic spectrum. The Commission needs to establish a better balance between these two types of services. The best place to start this process is by providing

reasonable breathing room for LPTV stations and their important services to America's disadvantaged populations.

Requested Action

The Commission needs to support America's core value of assisting disadvantaged populations by establishing a LPTV analog shutoff date at least five years from now.

Respectfully submitted,

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