

**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)

**Comments of the
Consumer Electronics Retailers Coalition
On Further Notice of Proposed Rulemaking**

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December 17, 2010

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The Consumer Electronics Retailers Coalition (“CERC”) respectfully submits these Comments on this Further Notice of Proposed Rulemaking (“NPRM”) with respect to the transition to digital television of low power television licensees (“LPTV”). CERC members include online retailer Amazon.com; specialist retailers Best Buy Co., Inc. and RadioShack Corporation; general retailers Sears Holdings (Sears and K-Mart); Target Corporation, and Wal-Mart Stores, Inc.; the National Retail Federation (NRF), and the Retail Industry Leaders Association (RILA).

CERC and its members are proud to have cooperated with the Commission actively and voluntarily in the successful transition of full-power TV stations to digital television. CERC views voluntary cooperation with the Commission in outreach about Commission undertakings, both to the public and to other retailers, as an essential and ongoing commitment.

In its NPRM,¹ the Commission asks several questions as to how it should proceed in the LPTV digital transition. Among these are: Whether to adopt a LPTV shutoff date in 2012;² precisely when that should be;³ whether additional consumer outreach is necessary;⁴ whether there are ample DTV converters available;⁵ and whether it will now be appropriate to clear the 700 MHz band of all LPTV services.⁶

CERC agrees that 2012 is an appropriate date for the LTPV transition. The precise date should be based on all comments received but, once set, should not be changed. CERC and its members believe that only voluntary consumer outreach measures will be appropriate and necessary in the LPTV transition. Assuming that the date chosen is about three years after the completion of the main DTV transition – as to which the outreach was extensive – the core information and consequences should be fresh in the minds of even those consumers who were not immediately affected by the transitions that were implemented through June of 2009. Nevertheless, CERC members look forward to working voluntarily with the FCC staff on any specific consumer education undertakings that may be helpful.

An informal online survey shows that DTV converters, of the sort used successfully in the main DTV transition, are readily available from every CERC member,

¹ *In the Matter of Amendment of Parts 73 and 74 of the 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*, MB Dkt. No. 03-185, Further Notice of Proposed Rulemaking and Memorandum Opinion and Order (rel. Sept. 17, 2010).

² ¶ 8

³ ¶ 16

⁴ ¶ 18

⁵ ¶¶ 18, 19

⁶ ¶¶ 20-25

as well as from a large number of commercial and private sellers.⁷ Moreover, since the conclusion of the main DTV transition in June, 2009, HDTV and other DTV receivers have been selling at a rate exceeding 34 million annually.⁸ Thus, assuming that the LPTV transition occurs approximately three years after June, 2009, *an additional 100 million DTV receivers, that were not in homes for the main transition and which will not need any converter, will be in consumers' homes.* The DTV transition also focused manufacturers, retailers, and consumers on antennas; these are in ready supply as well.

CERC agrees with the Commission, for the reasons stated in pars. 20-25, that the 700 MHz band should be cleared of LPTV transmissions by the end of 2011.

CERC and its members are proud of their record of outreach to other retailers, as well as to consumers and opinion leaders, in the main DTV transition and in other matters of concern to the Commission. CERC and its members look forward to working with the Commission actively and voluntarily to make the LPTV Transition a success as well.

⁷ See, e.g., http://www.amazon.com/s/ref=nb_sb_noss?url=node%3D1266092011&field-keywords=DTV+converter&x=0&y=0;
http://www.bestbuy.com/site/olspage.jsp;jsessionid=43BB0F8F10F7EB02F5D7821B4854FB28.bbolsp-app04-47?_dyncharset=ISO-8859-1&_dynSessConf=-1456087102998273056&id=pcat17071&type=page&st=DTV+Converter&sc=Global&cp=1&nrp=15&sp=&qp=&list=n&iht=y&usc=All+Categories&ks=960;
http://www.kmart.com/shc/s/search_10151_10104?keyword=Digital+converter;
http://www.sears.com/shc/s/search_10153_12605?vName=Computers+%26+Electronics&viewItems=48&keyword=dtv+tuner&sLevel=0;
http://www.target.com/s?keywords=digital+converter&searchNodeID=1038598&ref=sr_bx_1_11; http://www.walmart.com/search/search-ng.do?search_query=digital+converter&ic=480&Find=Find&search_constraint=0;
<http://www.radioshack.com/family/index.jsp?categoryId=2032199&sr=1&origkw=digital%20converter>; http://electronics.shop.ebay.com/?_from=R40&trksid=p5197.m570.11311&_nkw=dtv+converter+box&_sacat=293

⁸ <http://www.zdnet.com/blog/itfacts/298-mln-hdtv-to-sell-in-2009-10-of-the-plasma-screens/15468>. Presumably, as consumers replace their TV / converter combinations with new HDTVs, additional converters will continue to become available on secondary markets.

Respectfully submitted,

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