Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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 Docket No. 03-185

To: The Commission

Reply Comments of
Cesar Rincon International

Cesar Rincon International ("CRI") submits these reply comments in response to the Commission's *Further Notice of Proposed Rulemaking and Memorandum Opinion and Order* concerning the Rules governing digital LPTV, TV translator and Class A television stations. Specifically, CRI hereby supports the comments filed in this proceeding by Lotus TV of Houston, LLC ("Lotus"), licensee of digital LPTV station KHLM-LD in Houston, TX, which seeks to improve the utility of the low power digital service to the public.[1]

In regards to the effects of the transition to digital television in June 2009, it is our belief that such changes have adversely affected the vitality and service of low power television stations, including station KHLM-LP serving Houston, Texas.

First, the transition to over the air Digital television (DTV) and virtual elimination of analog broadcasts forced LP stations to convert to digital in order to try to compete. Although the move to digital was not mandatory for low power stations, remaining analog only would mean a virtual 100% tune-out since the DTV advertising campaign did not properly educate the public that they could still receive analog signals. This investment in equipment put tremendous stress on the already difficult financials of all low power stations, most of which could not afford.

Second, although the picture quality increased dramatically with digital broadcasts, the signal strength and penetration ability, have made the reception more difficult in DTV. Formerly, with analog broadcasts, viewers were able to get analog signals with less than 100% clarity, or snow, yet still be able to view the programming they chose, with less than perfect picture. Currently, with DTV, viewers that receive less

[1] These comments were prepared with the editorial aid of Lohnes and Culver, engineering consultants to Lotus. The comments represent the views of the undersigned.

than a reasonable strength signal do not get the signal at all. The tuners from digital television have very high threshold levels in order to reproduce the picture, so many, or most viewers are not able to receive the broadcast of low power television stations at all.

I live and work within the designated coverage area of station KHLM-LP. Prior to the DTV transition, I was able to receive the station's analog signal. Since the DTV transition, I have never been able to receive the stations digital over the air signal above threshold, thus completely losing any possibility of watching the station.

The result: serious decreases in audience levels, particularly for Low-Power TV stations. Why are LP TV stations more affected? Because Full power TV station's over the air signals are strong enough to penetrate buildings. In addition, Full Power TV stations enjoy the benefit of must carry on cable systems and carriage on most satellite providers, whose combined subscriber base reaches more than 95% of the population in most television markets. This leaves Low-Power TV stations in a very uncompetitive situation, facing and ever more challenging economic environment.

According to numbers from Nielsen, the adult 25-54 audience level for KHLM from 6a-9a has dropped from about 13,000 viewers in May '07 to just fewer than 5,000 in October of '10.

From a commercial standpoint, it is very difficult for advertisers to support these stations because the signals and audience levels are difficult to measure.

The viewership numbers are critical to the survival of Low Power stations that add diversity and localism to the media landscape. Yet, without appropriate signal strength, these stations will continue to struggle and perhaps perish in the years ahead. It is my position and vision that the general public would tremendously benefit from increase in power, perhaps to 100 kW ERP for UHF channels and 1 kW ERP for VHF channels as proposed by Lotus. Such increases would allow the general public to receive the signals of diverse and local programs.

Respectfully submitted,
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