

April 3, 1997

**DTV ALLOTMENT**

I WOULD LIKE TO BEGIN MY REMARKS BY COMMENDING DICK SMITH, BRUCE FRANÇA, AND THE REST OF THE STAFF AT OET FOR THEIR EXTRAORDINARY WORK ON THIS COMPLEX ITEM./ THE INDUSTRY AND THE COUNTRY OWES YOU A DEBT OF GRATITUDE FOR YOUR TIRELESS EFFORT ON THE DTV ALLOTMENT TABLE, AND FOR YOUR UNDERSTANDING AND INSIGHT IN WHAT HAVE BEEN DIFFICULT ISSUES TO RESOLVE.

THIS IS AN HISTORIC MOMENT FOR ALL OF US. TODAY WE MOVE FORWARD WITH THE IMPLEMENTATION OF DIGITAL TELEVISION, AND THE GOAL OF PRESERVING FREE, OVER-THE-AIR TELEVISION HAS BEEN REALIZED FOR GENERATIONS OF VIEWERS INTO THE 21ST CENTURY. BROADCASTERS WILL BE ABLE TO BROADCAST THEIR SIGNALS DIGITALLY, AND PROVIDE THE AMERICAN PUBLIC WITH EITHER A CRYSTAL CLEAR PROGRAMMING STREAM COMPRISED OF 6 MHZ OF SPECTRUM, OR AN EXTRAORDINARY SIGNAL USING LESS THAN 6 MHZ, THEREBY PRESERVING THE ABILITY TO OFFER SUPPLEMENTAL OR ANCILLARY SERVICES OF A KIND THAT WE HAVE YET TO IMAGINE.

I WANT TO EMPHASIZE THAT THE DTV PRODUCT, IS NOT THE BRAINCHILD OF GOVERNMENT, BUT THE RESULT OF THE HARD WORK OF THE BROADCASTING, MANUFACTURING AND COMPUTER INDUSTRIES./ THEY HAVE DEVELOPED WHAT, I BELIEVE IS THE BEST, MOST INNOVATIVE PLAN FOR DIGITAL BROADCASTING IN THE WORLD. ENGINEERS AND EXECUTIVES ALIKE HAVE DEVOTED YEARS OF THEIR LIVES TO BRING US TO THIS POINT TODAY, AND FOR THEM, THE WORK HAS ONLY BEGUN.

BUT THIS GREAT ADVANCE HAS NOT BEEN WITHOUT ITS OBSTACLES. ONE SUCH OBSTACLE HAS BEEN THE CONCERN OVER THE UHF POWER LEVEL, AND THE UHF/VHF POWER DIFFERENTIAL. THE ITEM TODAY HOWEVER, FINDS COMPROMISE ON THIS ISSUE THE BEST RESORT, THEREBY ESTABLISHING A MINIMUM POWER LEVEL OF 50 KILOWATTS AND A MAXIMUM POWER LEVEL OF 1 MEGAWATT. WE BELIEVE THAT THE POWER LEVELS ASSIGNED IN THE TABLE WILL PROVIDE REPLICATION OF SERVICE AREAS IN ALMOST ALL INSTANCES. WE RESERVE THE RIGHT TO FURTHER ADDRESS THIS ISSUE AFTER TWO YEARS, DURING SUCH TIME WE ANTICIPATE THAT THE TECHNICAL ASPECTS OF THESE ISSUES CAN BE MORE FULLY EXPLORED. WE ALSO PERMIT, UNDER CERTAIN CIRCUMSTANCES, INCREASES IN POWER BEYOND THOSE CONTAINED IN THE TABLE.

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**OUR DECISION TODAY ALSO GOES FAR TOWARDS MAXIMIZING THE USE OF SPECTRUM. IN CHANNELS 60-69, WE BELIEVE THAT WE CAN RECOVER 24 MHZ ALMOST IMMEDIATELY TO REALLOCATE FOR USE IN THE PUBLIC SAFETY ARENA. WITH RESPECT TO ADDITIONAL SPECTRUM AVAILABLE IN CHANNELS 60-69, WE WILL CONSIDER IN A FURTHER PROCEEDING WHAT TO DO WITH THIS SPECTRUM. WE ALSO STATE OUR GOAL OF RECAPTURING 138 MHZ OF SPECTRUM AT THE END OF THE TRANSITION PERIOD. I BELIEVE IT IS IMPORTANT TO NOTE THAT OUR DECISION TODAY IN NO WAY PRE-JUDGES WHAT ANY RECOVERED SPECTRUM WILL BE ALLOCATED FOR, AND DOES NOT FORECLOSE THE POSSIBILITY OF ITS USE FOR FULL POWER OR LOW POWER BROADCAST SERVICES.**

**IN THIS REGARD, TODAY'S DECISION ALSO ATTEMPTS TO BALANCE THE NEED FOR A SMOOTH TRANSITION TO DIGITAL TELEVISION WITH THE CONTINUED OPERATION OF LOW POWER TELEVISION. I SUPPORT ALL THE SERVICES THAT LOW POWER TELEVISION PROVIDES IN THIS COUNTRY. TRANSLATORS PROVIDE ACCESS TO OVER-THE-AIR TELEVISION TO MANY WHO ARE LOCATED IN REMOTE AREAS. ALSO LOW POWER TELEVISION OPERATORS OFTEN PROVIDE THE KINDS OF NICHE PROGRAMMING IN BOTH URBAN AND RURAL AREAS THAT ADDRESS VERY SPECIFIC NEEDS IN THEIR COMMUNITIES. IN THIS DECISION, WE IMPLEMENT A NUMBER OF SPECIFIC MEASURES TO MITIGATE THE IMPACT OF DTV IMPLEMENTATION AND KEEP LOW POWER OPERATORS IN THE BROADCAST BUSINESS. AND IN ADDITION, WE WILL REGULARLY REVIEW THIS ISSUE TO SEE WHAT MORE CAN BE DONE.**

**AS A BROADCASTER IN MY PREVIOUS CAREER AND A 23 YEAR VETERAN OF THIS COMMISSION I AM PROUD OF WHAT THE TELEVISION INDUSTRY AND THE OTHER INDUSTRIES INVOLVED HAVE ACCOMPLISHED THUS FAR, AND I AM EXCITED ABOUT THE FUTURE. THE POSSIBILITIES ARE ENDLESS, AND THE ALL IMPORTANT GOAL OF PRESERVING AND ENHANCING FREE, OVER-THE-AIR TELEVISION HAS BEEN REALIZED.**

**GOOD JOB ALL AROUND, WITH A SPECIAL THANKS TO BRUCE FRANCA, ROBERT BROMERY, ALAN STILLWELL AND ROBERT ECKERT.**

**Vote: In the Affirmative for this Report and Order.**