

April 3, 1997

**PRESS STATEMENT OF COMMISSIONER JAMES H. QUELLO**

**Re: Action Concerning the Service Rules for Digital Television**  
Advanced Television Systems and Their Impact upon the  
Existing Television Broadcast Service (MM Docket No. 87-268,  
Fifth Report and Order)

By adoption of this order the Commission hopes to provide a smooth transition to digital television broadcasting. Although we have attempted to refrain from regulation as much as possible, we have adopted rules where such rules are appropriate. Our overriding goal is to preserve free over-the-air broadcasting that continues to serve the public interest.

It is clear from the broadcasters' overwhelming response to our concerns over the build-out schedule for DTV that broadcasters are, in fact, anxious and primed for DTV conversion. No industry has worked harder, and I applaud them for their efforts. Although we do adopt a rule that implements a build-out schedule, I personally do not believe that such a move is necessary to ensure that broadcasters play their part in making DTV a success. To premise rules on a fictional intent on the part of broadcasters to delay the implementation of DTV defies reason. However, I do believe that the build-out rules that we adopt will only coincide with what the marketplace, and broadcasters themselves, would achieve on their own. In addition, we have adopted criteria for extensions of time of these scheduled periods that should accommodate broadcasters who run into either unforeseeable circumstances or valid circumstances beyond their control that would warrant additional time.

In our decision, we implement Congress' intent that broadcasters continue to provide free over-the-air service, but retain the flexibility to respond to the demands of their audience by providing supplementary services that do not derogate the free service. In this regard, we decline to mandate that broadcasters provide an HDTV signal comprised of all 6 MHz. It is optional whether to broadcast HDTV signals or standard definition signals.

Notably, we do not address what impact, if any, conversion to DTV may have on current public interest obligations. Broadcasters are always obligated to serve the public interest, and, a great majority meet that obligation admirably. I am well aware of the industry initiatives, expense and diligence that went into developing DTV. It is incongruous to "reward"

broadcasters by imposing additional, quantifiable public interest obligations for their developing an advanced technology that provides superior video and audio TV services for the public, and I would oppose any such initiatives. We do not, however, reach these issues today.

By our order, we initiate a two-year review process that will permit us to monitor closely any problems associated with digital conversion. I believe firmly that the marketplace, not government, must resolve the majority of issues remaining. However, to the extent this Commission can facilitate the process, we may still yet have a role to play.

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