



**Digital Television Transition  
and Public Safety**

# **NTIA Translator & Low-Power Television Digital Programs**

**NATIONAL TRANSLATOR ASSOCIATION**

**May 16 – 18 , 2008**



# Background

- Approx. 7,000 Low-Power Television Facilities (LPTVF) licensed (analog, as of 2/07/08)
  - 4,235 Translators
  - 2,150 LPTV
  - 528 Class A
- LPTVF can operate in analog after 2/17/09
- FCC considering digital deadline for LPTVF
- FCC permits LPTVF “flash cut” or “companion channels” as path to digital upgrade



# **NTIA Translator & LPTV Digital Programs**

- **Conversion Program (Current Program)**
  - Apply now for \$1,000 grants for eligible stations
- **Upgrade Program (Future Program)**
  - Planning for new program to fund upgrade to digital broadcasting



**Digital Television Transition  
and Public Safety**

## **Part 1**

# **Low-Power Television and Translator Digital-to-Analog Conversion Program**

**P. L. 109-171  
Section 3008**



# **Provides Grants of \$1,000 for Conversion Device**

- **To eligible Low-Power facilities...**
  - **Currently broadcasting only in analog, and**
  - **Re-broadcasting a full-service digital station.**



# **Provides Grants of \$1,000 for Conversion Device**

- **Filing deadline – February 17, 2009**
- **Device must be purchased and installed within 6 months**



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## **Part 2**

# **Low-Power Television and Translator Upgrade Program**

**P. L. 109-171  
Section 3009**



# Overview

- Review Statute (P.L. 109-171, §3009)
- Identify 5 major issues
- Review each issue and its implications in developing the Upgrade Program
- Review alternative ways of distributing funds



# Upgrade Program (Section 3009)

“(a) ESTABLISHMENT.—The Assistant Secretary shall make payments of not to exceed \$65,000,000, in the aggregate, during fiscal year 2009 from the Digital Television Transition and Public Safety Fund established under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) to implement and administer a program through which each licensee of an eligible low-power television station may receive reimbursement for equipment to upgrade low-power television stations from analog to digital in eligible rural communities, as that term is defined in section 610(b)(2) of the Rural Electrification Act of 1937 (7 U.S.C. 950bb(b)(2)).”



# 1. \$65 million program

“(a) ESTABLISHMENT.—The Assistant Secretary shall make **payments of not to exceed \$65,000,000**, in the aggregate, **during fiscal year 2009** from the Digital Television Transition and Public Safety Fund established under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) to implement and administer a program through which each licensee of an eligible low-power television station may receive reimbursement for equipment to upgrade low-power television stations from analog to digital in eligible rural communities, as that term is defined in section 610(b)(2) of the Rural Electrification Act of 1937 (7 U.S.C. 950bb(b)(2)).”



## 2. Eligible low-power TV stations

“(a) ESTABLISHMENT.—The Assistant Secretary shall make payments of not to exceed \$65,000,000, in the aggregate, during fiscal year 2009 from the Digital Television Transition and Public Safety Fund established under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) to implement and **administer a program through which each licensee of an eligible low-power television station** may receive reimbursement for equipment to upgrade low-power television stations from analog to digital in eligible rural communities, as that term is defined in section 610(b)(2) of the Rural Electrification Act of 1937 (7 U.S.C. 950bb(b)(2)).”



## **3. Reimbursed for digital equipment**

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## **4. Stations in eligible communities**

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## Section 3009 (a) [continued]

- “....Priority reimbursements shall be given to eligible low-power television stations in which the license is held by a non-profit corporation and eligible low-power television stations that serve rural areas of fewer than 10,000 viewers.”



## 5. Priority reimbursement

- “.....**Priority reimbursements** shall be given to eligible low-power television stations in which the **license is held by a non-profit corporation** and eligible low-power television stations that **serve rural areas of fewer than 10,000 viewers.**”



## Section 3009 (continued)

- “(b) ELIGIBLE STATIONS.—For purposes of this section, the term “eligible low-power television station” means a low-power television broadcast station, Class A television station, television translator station, or television booster station—
  - (1) that is itself broadcasting exclusively in analog format; and
  - (2) that has not converted from analog to digital operations prior to the date of enactment of the Digital Television Transition and Public Safety Act of 2005.”



## Issues Identified

- 1. \$65 million program
- 2. Eligible Low-Power TV Facilities (LPTVF)
- 3. Reimburse LPTVF for eligible costs to upgrade to digital broadcasting
- 4. LPTVF located in eligible communities
- 5. Priority for some stations



# 1. \$65 million program

- Program to start in FY 09
  - FY 09 begins October 1, 2008
- Funds to cover administration of program as well as grants
- Reimbursement program (*i.e.* grantees must expend funds first)



# Upgrade Program Update

- The Department has requested a technical correction which would permit NTIA to make reimbursement payments beginning February 18, 2009, and for the program to extend during the period FY09-FY12. Legislation to this effect was introduced in the Congress on February 7, 2008, (S.2607).



## 2. Eligible Low-Power TV Facilities

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## 2. Eligible Low-Power TV Facilities

- “(b) ELIGIBLE STATIONS.—For purposes of this section, the term “eligible low-power television station” means a low-power television broadcast station, Class A television station, television translator station, or television booster station—”
- What type of FCC authorization should the station have?
  - an FCC license, Construction Permit, program test authority?



## 2. Eligible Low-Power TV Facilities

- “(1) that is itself broadcasting exclusively in analog format; and
- (2) that has not converted from analog to digital operations prior to the date of enactment of the Digital Television Transition and Public Safety Act of 2005.”



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## 2. Eligible Low-Power TV Facilities

- “(1) that is itself broadcasting exclusively in analog format”
- *Is itself broadcasting*
  - Have license, CP, or program test authority?
- *Exclusively in analog format*
  - What date?
  - February 8, 2006 (date of legislation), date NTIA announces the Upgrade Program; date application is submitted, another date?



## 3. Reimbursement for Equipment

- “Equipment to upgrade low-power television stations from analog to digital”
- What costs or equipment should be eligible?
- Transmitters, antennas, other equipment?
- Planning costs? Installation costs?
- Retrofit, modify or replace existing equipment?



## 3. Reimbursement for Equipment

- Should there be a formula or limit (cap) on the amount of funds awarded to a single station?
  - If so, what should the cap be based on?
  - How much should the cap be?
- What date should NTIA establish as the date after which applicants can start spending money that may be reimbursed by the Upgrade Program?



## 4. Eligible Rural Communities

“Eligible rural communities, as that term is defined in section 610(b)(2) of the Rural Electrification Act of 1937 (7 U.S.C. 950bb(b)(2)).”

- *“any area of the United States that is not contained in an incorporated city or town with a population in excess of 20,000 inhabitants.” 7 U.S.C. 950bb(b)(2).*



## 4. Eligible Rural Communities

- Possible Interpretations
  - Community of license <20,000

Approx: 5019 Facilities Eligible  
(based upon 2000 census)



## 4. Eligible Rural Communities

- Possible Interpretations
  - Community of license <20,000
  - Service area (Grade B contour) <20,000

Approx: 3713 Facilities

(based upon NTIA propagation study with 2000 census)



## 4. Eligible Rural Communities

- Possible Interpretations
  - Community of license <20,000
  - Service area (Grade B contour) <20,000
  - Service area (Grade A contour) <20,000

Approx: 4349 Facilities

(based upon NTIA propagation study with 2000 census)



## 4. Eligible Rural Communities

- Possible Interpretations
  - Community of license <20,000
  - Service area (FCC contours) <20,000
  - No metro area >20,000 in Grade B



## 4. Eligible Rural Communities

- Rural areas outside of metro with < 20,000 population
- If the population is less than 20,000 in the Grade A (B) contour
- List to be posted on web



## 4. Eligible Rural Communities

- When area includes a metro of more than 20,000, possibilities include:
  - Subtract out areas of more than 20,000
  - Coverage cuts through urban area—look at RUS formula
  - Formula –more than 50%; 55%; or 60% to be eligible? Perhaps rurality formula to be competitive?



## 4. Eligible Rural Communities

- Possible Interpretations
  - Community of license <20,000
  - Service area (Grade B contour) <20,000
  - No metro area >20,000 in Grade B
- Other suggestions



## 5. Priority reimbursement

- “Priority reimbursements shall be given to eligible low-power television stations in which the license is held by a non-profit corporation and eligible low-power television stations that serve rural areas of fewer than 10,000 viewers.”



## 5. Priority reimbursement

- “Priority reimbursements shall be given to eligible low-power television stations in which the license is held by a non-profit *corporation* and eligible low-power television stations that serve rural areas of fewer than 10,000 viewers.”



## 5. Priority reimbursement

- How to define non-profit corporation?
- Could governmental bodies qualify as non-profit corporations?



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## 5. Priority reimbursement

- “Priority reimbursements shall be given to eligible low-power television stations in which the license is held by a non-profit corporation and eligible low-power television stations that serve rural areas of fewer than 10,000 viewers.”



## 5. Priority reimbursement

- Population in Grade A contour <10,000?
- Population in Grade B contour <10,000?
- Other possibilities?



## 5. Priority reimbursement

- **“Priority reimbursements shall be given to eligible low-power television stations in which the license is held by a non-profit corporation and eligible low-power television stations that serve rural areas of fewer than 10,000 viewers.”**



## 5. Priority reimbursement

- Should station meet both criteria to receive Priority?
- How should Priority be awarded?
  - Special grant round for stations with Priority?



## 6. How to Conduct the Program

- Many stations would qualify
- Should be efficient for stations to apply
  - Is Web based application best?
- Must be efficient for NTIA to process
- Reimbursement
  - Should station expend funds before application?
  - Can station expend funds after award and then receive reimbursement funds?



## 6. How to Conduct the Program

- How to determine how many stations qualify?
  - Uniform Grants?
  - First Come-First Served?
  - Competitive Grant Program?  
with point system
  - What evaluation criteria?



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**Submit suggestions to NTIA at:**

**[iptv@ntia.doc.gov](mailto:iptv@ntia.doc.gov)**



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# Updates and Information

[www.ntia.doc.gov/lptv](http://www.ntia.doc.gov/lptv)



## Contact NTIA for more information

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# **DTV CONVERTER COUPON PROGRAM**

**HOW CAN  
LOW-POWER  
BROADCASTERS HELP?**



# DTV CONVERTER COUPON PROGRAM

- Raise awareness of the digital transition and the Coupon Program
- Educate every viewer about their choices
  - [www.ntia.doc.gov/dtvcoupon](http://www.ntia.doc.gov/dtvcoupon)
  - [www.dtv.gov](http://www.dtv.gov)
  - [www.dtvtransition.org](http://www.dtvtransition.org)



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# **DTV CONVERTER COUPON PROGRAM**

- Increase viewers' trust in your stations – help them understand what's happening and what they need to do!



# DTV CONVERTER COUPON PROGRAM

- Increase viewers' understanding that some Low-Power stations will remain broadcasting in analog
- Even if all stations in area are remaining analog, encourage viewers to apply for coupon and purchase a converter box. At some time all facilities will be digital.

Coupon program ends March 31, 2009.



# **DTV CONVERTER COUPON PROGRAM**

- Promote a station task force to make your station part of the solution, not part of the problem!
- Partner with retailers in your markets to identify stations continuing analog broadcasts
- Work with community organizations to help the elderly, shut-ins and others with ordering coupons and converter installation



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# **DTV CONVERTER COUPON PROGRAM**

**Anita Wallgren  
NTIA Program Director**

**Tony Wilhelm  
Consumer Education, Public Information**

**For more information  
(202) 482-2048  
[www.ntia.doc.gov/dtvcoupon](http://www.ntia.doc.gov/dtvcoupon)**



**National Telecommunications and Information Administration  
U.S. Department of Commerce**