

Christopher Lewis

From: Louis Sigalos
Sent: Tuesday, January 27, 2009 3:48 PM
To: Christopher Lewis
Cc: Cathy Seidel; Robin Rosenbaum
Subject: Budget Plan

Christopher,

Could the consumer outreach team get a copy of the \$645 million dollar plan?

Christopher Lewis

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 2:40 PM
To: Rick Chessen; Rosemary Harold; Rudy Brioché; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: House Action on DTV Delay Bill

The House will have debate on the DTV delay bill tonight. However, the vote will occur tomorrow. The House will take up the Economic Stimulus package at some point after 3:30 PM, and have up to 3.5 hours of debate. Debate on the DTV bill will occur after debate on the Economic Stimulus package has ended. Please let me know if you have any questions.

From: Lori Maarbjerg
Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioché; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
Cc: Deana Funderburk; Jim Balaguer; Joy Medley; Timothy Strachan
Subject: Senate Passage of DTV Delay Bill

As you may know, the Senate passed the DTV Delay bill last night by unanimous consent. Chairman Waxman has cancelled the Energy and Commerce mark up of the House version originally scheduled for this morning. He indicates that that he is working to bring the Senate bill to the House floor as early as today. I am tracking developments and will provide updates as necessary. For your convenience, I have attached the bill as passed by the Senate along with a comparison/summary the Senate bill as passed (Please note that the language was identical to the 1.22.2009 version previously circulated). Please let me know if you have any questions. Thanks!

<< File: S. 328 (as passed by Senate).pdf >> << File: Summary of S. 328.doc >>

Christopher Lewis

From: Jill Pender
Sent: Tuesday, January 27, 2009 11:21 AM
To: Louis Sigalos; Lori Maarbjerg
Cc: Gary Epstein; Christopher Lewis; Robin Rosenbaum; Cathy Seidel; Roger Goldblatt; Patrick Webre
Subject: RE: DTV Extension - Possible New Budget Items

THANKS

From: Louis Sigalos
Sent: Tuesday, January 27, 2009 10:46 AM
To: Jill Pender; Lori Maarbjerg
Cc: Gary Epstein; Christopher Lewis; Robin Rosenbaum; Cathy Seidel; Roger Goldblatt; Patrick Webre
Subject: FW: DTV Extension - Possible New Budget Items

Jill and Lori,

Attached are the 2 documents referenced at the morning meeting. The "June 12" document outlines the estimated costs to continue the existing programs through the extended period. The "DTV Extension Budget Items" document provided some thoughts as to additional programs we may want to put in place. However, the new programs document must be updated to reflect ideas now being floated and this document does not provide \$\$ estimates.

From: Cathy Seidel
Sent: Friday, January 23, 2009 1:22 PM
To: Rick Chessen
Cc: Monica Desai; Eloise Gore; Thomas Horan; Mindy Ginsburg; Mark Stone; Andrew Martin; Louis Sigalos; Pam Slipakoff; Patrick Webre; Roger Goldblatt
Subject: FW: DTV Extension - Possible New Budget Items

Rick,
Louis sent you the first attachment here - showing suggestions for new activities and potential costs. I'm attaching to this same email the version of the two-pager that outlines costs that would be incurred if the deadline is delayed, absent any new initiatives.
Cathy

From: Louis Sigalos
Sent: Friday, January 23, 2009 10:24 AM
To: Rick Chessen
Cc: Cathy Seidel; Roger Goldblatt; Patrick Webre; Mark Stone; Thomas Horan; Eloise Gore; Andrew Martin
Subject: DTV Extension - Possible New Budget Items

Rick,

Attached is the current version of the one-pager (which is 2 pages long) that outlines some potential new activities we should consider if the date is extended AND additional money is available for consumer education.

3/30/2009

Christopher Lewis

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Sent: Tuesday, January 27, 2009 8:55 AM
To: Rick Chessen; Rosemary Harold; Rudy Brioché; Eloise Gore; Thomas Horan; Barbara Kreisman; John Gabrysch; Gordon Godfrey; Roy Stewart; Julius Knapp; Alan Stillwell; Ira Keltz; Cathy Seidel; Jill Pender; Louis Sigalos; Patrick Webre; Joel Kaufman; Marilyn Sonn; Mark Wigfield; Edie Herman; Christopher Lewis; Robin Rosenbaum; Gary Epstein; Mindy Ginsburg; Joseph Hall; Mark Stone; Jon Peha; Krista Witanowski; Pam Slipakoff
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Subject: Senate Passage of DTV Delay Bill

Attachments: S. 328 (as passed by Senate).pdf; Summary of S. 328.doc

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S. 328 (as passed
by Senate).p...



Summary of S.
328.doc (37 KB)

111TH CONGRESS
1ST SESSION

S. 328

AN ACT

To postpone the DTV transition date.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “DTV Delay Act”.

3 **SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.**

4 (a) **IN GENERAL.**—Section 3002(b) of the Digital
5 Television Transition and Public Safety Act of 2005 (47
6 U.S.C. 309 note) is amended—

7 (1) by striking “February 18, 2009;” in para-
8 graph (1) and inserting “June 13, 2009;”; and

9 (2) by striking “February 18, 2009,” in para-
10 graph (2) and inserting “that date”.

11 (b) **EXTENSION OF COUPON PROGRAM.**—Section
12 3005(c)(1)(A) of that Act (47 U.S.C. 309 note) is amend-
13 ed by striking “March 31, 2009,” and inserting “July 31,
14 2009,”.

15 (c) **CONFORMING AMENDMENTS.**—

16 (1) Section 3008(a)(1) of that Act (47 U.S.C.
17 309 note) is amended by striking “February 17,
18 2009.” and inserting “June 12, 2009.”.

19 (2) Section 309(j)(14)(A) of the Communica-
20 tions Act of 1934 (47 U.S.C. 309(j)(14)(A)) is
21 amended by striking “February 17, 2009.” and in-
22 serting “June 12, 2009.”.

23 (3) Section 337(e)(1) of the Communications
24 Act of 1934 (47 U.S.C. 337(e)(1)) is amended by
25 striking “February 17, 2009,” and inserting “June
26 12, 2009,”.

1 (d) LICENSE TERMS.—

2 (1) EXTENSION.—The Federal Communications
3 Commission shall extend the terms of the licenses
4 for the recovered spectrum, including the license pe-
5 riod and construction requirements associated with
6 those licenses, for a 116-day period.

7 (2) DEFINITION.—In this subsection, the term
8 “recovered spectrum” means—

9 (A) the recovered analog spectrum, as such
10 term is defined in section 309(j)(15)(C)(vi) of
11 the Communications Act of 1934; and

12 (B) the spectrum excluded from the defini-
13 tion of recovered analog spectrum by subclauses
14 (I) and (II) of such section.

15 **SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CON-**
16 **VERTER BOX PROGRAM.**

17 (a) TREATMENT OF EXPIRED COUPONS.—Section
18 3005(c)(1) of the Digital Television Transition and Public
19 Safety Act of 2005 (47 U.S.C. 309 note) is amended by
20 adding at the end the following:

21 “(D) EXPIRED COUPONS.—The Assistant
22 Secretary may issue to a household, upon re-
23 quest by the household, one replacement coupon
24 for each coupon that was issued to such house-

1 hold and that expired without being re-
2 deemed.”.

3 (b) CONFORMING AMENDMENT.—Section
4 3005(c)(1)(A) of the Digital Television Transition and
5 Public Safety Act of 2005 (47 U.S.C. 309 note) is amend-
6 ed by striking “receives, via the United States Postal Serv-
7 ice,” and inserting “redeems”.

8 **SEC. 4. IMPLEMENTATION.**

9 (a) PERMISSIVE EARLY TERMINATION UNDER EX-
10 ISTING REQUIREMENTS.—Nothing in this Act is intended
11 to prevent a licensee of a television broadcast station from
12 terminating the broadcasting of such station’s analog tele-
13 vision signal (and continuing to broadcast exclusively in
14 the digital television service) prior to the date established
15 by law under section 3002(b) of the Digital Television
16 Transition and Public Safety Act of 2005 for termination
17 of all licenses for full-power television stations in the ana-
18 log television service (as amended by section 2 of this Act)
19 so long as such prior termination is conducted in accord-
20 ance with the Federal Communications Commission’s re-
21 quirements in effect on the date of enactment of this Act,
22 including the flexible procedures established in the Matter
23 of Third Periodic Review of the Commission’s Rules and
24 Policies Affecting the Conversion to Digital Television

1 (FCC 07-228, MB Docket No. 07-91, released December
2 31, 2007).

3 (b) PUBLIC SAFETY RADIO SERVICES.—

4 (1) USE ON CLEARED SPECTRUM.—Notwith-
5 standing the amendments made by section 2, if—

6 (A) a television broadcast station ceases
7 the broadcasting of such station's analog tele-
8 vision service under subsection (a) of this sec-
9 tion prior to June 12, 2009, and

10 (B) as a consequence of such cessation,
11 spectrum between frequencies 768 and 776
12 megahertz, inclusive, and 798 and 806 mega-
13 hertz, inclusive, becomes available for non-tele-
14 vision broadcast use prior to June 12, 2009,
15 the Federal Communications Commission shall
16 permit the use of such spectrum for authorized
17 public safety radio services if the Commission
18 determines that such use is in the public inter-
19 est and does not cause harmful interference to
20 full-power television stations in the analog or
21 digital television service.

22 (2) EXPEDITED PROCEDURES.—The Federal
23 Communications Commission may use expedited pro-
24 cedures, and may waive such rules as may be nec-
25 essary, to make a determination on an application

1 made under paragraph (1) to begin such use of such
2 spectrum by a public safety agency (as such term is
3 defined in section 3006(d)(1) of the Digital Tele-
4 vision Transition and Public Safety Act of 2005) in
5 not less than 2 weeks after the date of submission
6 of such application.

7 (c) **EXPEDITED RULEMAKING.**—Notwithstanding
8 any other provision of law, the Federal Communications
9 Commission and the National Telecommunications Infor-
10 mation Administration shall, not later than 30 days after
11 the date of enactment of this Act, each adopt or revise
12 its rules, regulations, or orders or take such other actions
13 as may be necessary or appropriate to implement the pro-
14 visions, and carry out the purposes, of this Act and the
15 amendments made by this Act.

16 **SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.**

17 Section 309(j)(11) of the Communications Act of
18 1934 (47 U.S.C. 309(j)(11)) is amended by striking
19 “2011.” and inserting “2012.”.

20 **SEC. 6. EMERGENCY DESIGNATION.**

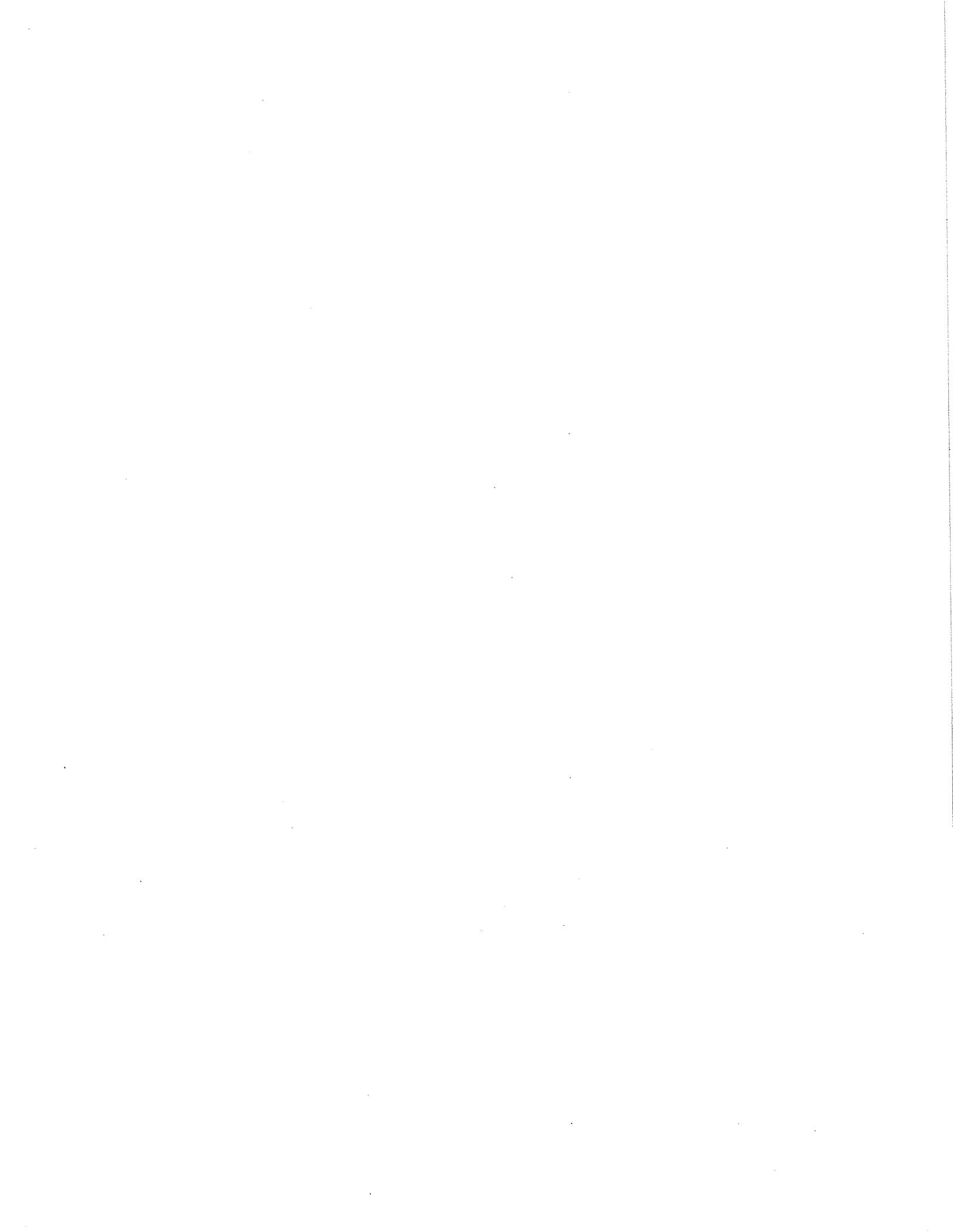
21 Each amount made available under section 3005 of
22 the Digital Television Transition and Public Safety Act
23 of 2005 (47 U.S.C. 309 note) as a result of the amend-
24 ments made by this Act is designated as an emergency
25 requirement and necessary to meet emergency needs pur-

1 suant to section 204(a) of S. Con. Res. 21 (110th Con-
2 gress) and section 301(b)(2) of S. Con. Res. 70 (110th
3 Congress), the concurrent resolutions on the budget for
4 fiscal years 2008 and 2009.

Passed the Senate January 26, 2009.

Attest:

Secretary.



111TH CONGRESS
1ST Session

S. 328

AN ACT

To postpone the DTV transition date.

Summary of S. 328 (as passed by Senate)

ISSUE	S. 328 (As passed by Senate on 1.26.2009)
Date Extension	Extends DTV transition deadline to June 12, 2009
Converter Box Coupon Program Extension	Extends coupon availability to July 31, 2009.
Low Power TV Program	Extends LPTV D-to-A Conversion Program to deadline to June 12, 2009 (See Section 3008 of the DTV Transition and Public Safety Act of 2005).
License Terms	Requires the FCC to "postpone the commencement and the expiration" of the licenses for the recovered analog spectrum for a 116-day period.
Already Expired Coupons	Allows NTIA to issue – at the request of a household – one replacement coupon for each coupon that was issued to the household that had expired without being redeemed.
Delivery of Coupons	Deletes reference to USPS in Section 3005, and inserts "redeems" in replace of "receives". (Note: This may allow other methods of delivery).
Early Termination by Broadcasters	Allows broadcasters to continue to use the flexibility granted by the FCC in the Third Periodic Review to terminate analog service early.
Public Safety	Allows FCC to permit public safety to use 768 – 776 MHz and 798 – 806 MHz if the TV stations on those channels terminate early, as long it would not cause harmful interference to either analog or digital full-power stations. Allows the FCC to use an expedited process and waive rules to allow use by public safety in not less than 2 weeks after submission of an application from public safety.
Expedited Rulemakings	Requires the FCC and NTIA – "notwithstanding any other provision of law" – to adopt or revise its rules to carry out the provisions of the Act, not later than 30 days from enactment.
Auction Authority	Extends auction authority to 2012 from 2011.
Emergency Designation	Makes an "emergency designation" for each amount made available under section 3005 (Converter Box Coupon Program) to "meet emergency needs."

Christopher Lewis

From: Christopher Lewis
Sent: Wednesday, February 11, 2009 5:07 PM
To: Robin Rosenbaum
Subject: Fw: Obama statement on signing DTV Delay Act

Attachments: image001.gif



image001.gif (423
B)

----- Original Message -----

From: Rosemary Harold
To: Rick Chessen; Lori Maarbjerg; Gary Epstein; Rudy Brioche
Cc: Eloise Gore; Julius Knapp; Barbara Kreisman; Joseph Hall; Cathy Seidel; Louis Sigalos; Patrick Webre; David Furth; Joel Kaufman; William Scher; Andrew Martin; Robert Ratcliffe; Christopher Lewis; Jeff Cohen; Roy Stewart; Robert Ratcliffe; Matthew Berry; Joel Kaufman; Marilyn Sonn
Sent: Wed Feb 11 17:04:45 2009
Subject: Obama statement on signing DTV Delay Act

FYI: Statement of President Barack Obama on Signing the DTV Bill

WASHINGTON - Today, President Barack Obama signed S.352, a bill to postpone the DTV transition date to June 12th to allow for more time for the American consumers to prepare for the switch from analog television.

"During these challenging economic times, the needs of American consumers are a top priority of my administration. This law, which was crafted in a bipartisan way and passed overwhelmingly in the House and Senate, ensures that our citizens will have more time to prepare for the conversion. Millions of Americans, including those in our most vulnerable communities, would have been left in the dark if the conversion had gone on as planned, and this solution is an important step forward as we work to get the nation ready for digital TV. My administration will continue to work with leaders in Congress, broadcasters, consumer groups and the telecommunications industry to improve the information and assistance available to our citizens in advance of June 12."

Christopher Lewis

From: Christopher Lewis
Sent: Friday, February 06, 2009 3:51 PM
To: Carolyn Conyers
Subject: RE: Would you give me a call please?

It is

From: Carolyn Conyers
Sent: Friday, February 06, 2009 3:47 PM
To: Christopher Lewis
Subject: RE: Would you give me a call please?

Not a problem. I knew who he was and I figured something got mixed up. But that is Epstein's info right?

Best,

Carolyn Conyers
Confidential Assistant
to Acting Chairman Copps
Office: 202 418-2002
Fax: 202 418-7911

From: Christopher Lewis
Sent: Friday, February 06, 2009 3:46 PM
To: Carolyn Conyers
Subject: RE: Would you give me a call please?

I do. Sorry, I keep doing that. Gary Shapiro is an industry guy!

Our guy is Gary M. Epstein.

From: Carolyn Conyers
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Subject: RE: Would you give me a call please?

Chris -- do you mean Gary Epstein?

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From: Christopher Lewis
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Subject: RE: Would you give me a call please?

3/30/2009

White House Contact:
Susan Crawford
scrawford@who.eop.gov

FCC staff info:
Gary M. Shapiro

Rick C. Chessen

Christopher Joseph Lewis

Thanks, Carolyn

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[REDACTED]

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[REDACTED]

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[REDACTED]

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Christopher Lewis

From: Christopher Lewis
Sent: Wednesday, February 04, 2009 5:50 PM
To: Robin Rosenbaum
Subject: FW: Press Release - Possible Conflict-of-Interest Prompts Ranking Member Issa to Call for DTV Vote Delay and Full Disclosure of Industry Insider's Involvement in Crafting Policy

From: Lori Maarbjerg
Sent: Wednesday, February 04, 2009 1:41 PM
To: Christopher Lewis
Subject: FW: Press Release - Possible Conflict-of-Interest Prompts Ranking Member Issa to Call for DTV Vote Delay and Full Disclosure of Industry Insider's Involvement in Crafting Policy



COMMITTEE ON

Oversight & Government Reform - Republicans

Ranking Member Darrell Issa



FOR IMMEDIATE RELEASE

Tuesday, February 03,
2009

CONTACTS – 202-225-0037

<http://republicans.oversight.house.gov>

Frederick Hill – Director of
Communications

Kurt Bardella - Press Secretary
(202) 631-2865 – Cell

Reported Conflict-of-Interest Prompts Ranking Member Issa to Call for DTV Vote Delay and Full Disclosure of Industry Insider's Involvement in Crafting Policy

WASHINGTON, D.C. – House Committee on Oversight and Government Reform Ranking Member Darrell Issa (R-CA) today sent a letter to the House Speaker Nancy Pelosi (D-CA) urging her to postpone a vote on legislation to delay the transition to digital television until the impact of a reported conflict of interest from an advisor to President Obama is fully known and disclosed.

“The policy recommendations made by President Obama may have been influenced by an individual with a conflict of interest of which he may not have been aware,” the letter states. “Any improper influences on the President’s policy positions that lead Congress to act one way or another permanently cloud the resulting legislation.”

The conflict surrounds R. Gerald Salemme, an industry insider whose company stands to gain a competitive advantage by delaying the transition. Salemme is believed to have been a key advisor to top

transition aide, John Podesta and President Obama.

Issa also sent a letter to White House Counsel Gregory Craig demanding answers to critical questions about the apparent conflict of interest and the process leading to the President's decision to support delaying the DTV changeover.

"This is just the sort of arrangement that led to years of Democratic outrage over the Bush administration's energy policy," Issa wrote. "The President has signaled a strong desire to have a transparent and open federal government. I am concerned that one of the President's own transition advisors failed to disclose an apparent conflict of interest."

Text of Letter to White House Counsel Gregory Craig:

Two weeks ago numerous commentators brought to light the question of whether President Obama's telecommunications policy, specifically the digital television transition, is being influenced by an industry insider. According to the *Examiner*, R. Gerard Salemme, "a former telecom lobbyist who has given thousands to Obama, including \$5,000 to Obama's transition team, has helped Obama craft a policy that will benefit Salemme's company [Clearwire]. This is just the sort of arrangement that led to years of Democratic outrage over the Bush administration's energy policy."^[1]

The President has signaled a strong desire to have a transparent and open federal government.^[2] I am concerned that one of the President's own transition advisors failed to disclose an apparent conflict of interest. It is my understanding that Salemme's company, Clearwire, will benefit from a delay in the digital transition because Clearwire's partner, Sprint will enjoy "a longer honeymoon as the only network offering 4G speeds."^[3] Surely, the President and John Podesta were unaware of this conflict when Salemme joined the Obama-Biden Transition team as an advisor.

During the last Congress, this Committee, under the leadership of former Chairman Waxman, conducted vigorous oversight of Vice President Cheney's energy task force.^[4] Indeed, the Committee's website has a section dedicated to the "Cheney Energy Task Force"^[5] and former Chairman Waxman was the catalyst for the GAO's investigation^[6] of whether Cheney and the task force "met privately with major campaign contributors to discuss energy policy."^[7]

To gain a better understanding of Salemme's duties and the potential influence he had on crafting the digital television conversion policy, I ask that you answer the following questions for the Committee by March 2, 2009.

1. What was the Obama-Biden Transition Project's policy for employing individuals from private industry? How were they screened for potential conflicts?
2. Did Salemme file any documents with the Transition Project or the Administration outlining his previous work experience? Did he make any financial disclosures to the Transition Project or Administration?
3. Did Salemme receive any compensation from the government for his advice on telecom policy? If so, was Salemme simultaneously receiving compensation from a private entity?
4. Is Salemme currently in contact with the Administration? For example, does he participate in meetings, conference calls, or email communications with the Administration?

5. Moving forward, what personnel policies have been enacted to prevent and catch conflicts such as this one?

Thank you for your attention. I look forward to working with you in the future to ensure transparent and open government.

Text of Letter to Speaker Pelosi:

The purpose of this letter is to urge you to postpone a vote on legislation to delay the transition to digital television. The policy recommendations made by President Obama may have been influenced by an individual with a conflict of interest of which the President may not have been aware.

As reported in the *Washington Post*, President Obama's top transition aide John Podesta urged chairs of the House and Senate Commerce Committees to "consider a change to the legislatively-mandated analog cutoff date."^[8] Podesta argues the need for the delay turns on the fact that the "federal program to subsidize digital equipment that some viewers will need has fallen short of money, and last week the government reported a waiting list [to receive converter coupons] of 1.4 million households."^[9]

Various commentators, however, allege that Podesta and thereby President Obama were advised by an industry insider, R. Gerard Salemme,^[10] whose company stands to gain a competitive advantage by delaying the transition. Salemme, is the Executive Vice President for Strategy, Policy, and External Affairs at Clearwire, a company that is partnered with Sprint in an endeavor to "launch their fourth-generation [referred to as "4G"] wireless broadband network."^[11] According to the *Examiner*:

Sprint and Clearwire, on spectrum they already own, have begun launching their 4G network. That means Sprint is ahead of the competition in wireless Internet. It also means Sprint and Clearwire stand to benefit from Obama's push to delay the transition to digital TV: The longer broadcasters use analog signals the longer Verizon has to wait to get the spectrum it needs for its 4G network—which gives Sprint a longer honeymoon as the only network offering 4G speeds.^[12]

As you can see, the impetus for the delay is potentially more complex and controversial than simply an underfunded government coupon distribution program.

The President's high approval rating undoubtedly allows him to wield a great deal of power. His influence on the Democratic caucus cannot be overstated. Any improper influences on the President's policy positions that lead Congress to act one way or another permanently cloud the resulting legislation. I have raised these concerns directly with White House Counsel, Greg Craig. Attached is a copy of the letter sent to Mr. Craig.

I urge you to delay a vote on this issue until the Committee staff has had the opportunity to fully explore potential conflicts arising from Salemme's role in the Administration's decision making. Thank you for your attention to this matter.

###

-
- [1] Timothy P. Carney, *Obama's Secret Telecom Advisor Pushing His Company's Interest*, EXAMINER, Jan. 16, 2009.
- [2] Transparency and Open Government, Memorandum for the Heads of Executive Departments and Agencies, 74 Fed. Reg. 4685 (Jan. 26, 2009).
- [3] Carney, *supra*.
- [4] Letter from Rep. Henry A. Waxman, Ranking Member, H. Comm. on Oversight and Gov't Reform (hereinafter OGR Comm.) and Rep. John D. Dingell, Member, H. Comm. on Energy and Commerce to David Walker, Comptroller Gen., Gen. Accounting Office, Apr. 19, 2001. Waxman and Dingell letter to Andrew Lundquist, Executive Dir., U.S. Dep't of Energy, Energy Task Force, Apr. 19, 2001. *See also* OGR Comm. Website at <http://oversight.house.gov/investigations.asp?start=0&id=110> (last visited Feb. 2, 2009).
- [5] *Id.*
- [6] General Accounting Office (GAO), Energy Task Force, Process Used to Develop the National Energy Policy, GAO-03-894, August 2003 (GAO was renamed Government Accountability Office in 2004).
- [7] OGR Comm. Website at <http://oversight.house.gov/investigations.asp?start=0&id=110> (last visited Feb. 2, 2009).
- [8] Kim Hart, *Obama Urges Delay in Digital TV Switch*, WASH POST, Jan. 9, 2009.
- [9] Bloomberg News, *Senate Approves Digital TV Delay*, NY TIMES, Jan. 27, 2009.
- [10] In addition to the apparent conflict of interest, Salemme is a heavily Democratic donor. Between 2003 and 2008 he donated approximately \$38,900 to Democrats and Democratic organizations.
- [11] Timothy P. Carney, *Obama's Secret Telecom Advisor Pushing His Company's Interest*, EXAMINER, Jan. 16, 2009.
- [12] *Id.*

Christopher Lewis

From: Christopher Lewis
Sent: Wednesday, January 28, 2009 9:10 PM
To: Gary Epstein
Subject: Update memo
Attachments: 01282009 update memo language.doc

Draft memo attached. Not sure if this is what you're looking for, but if not we can strip it down. I figure the Call Center team can build off of this for the report to the larger group on Friday.

Chris

Margaret Egler

From: Rebecca Dorch
Sent: Wednesday, February 04, 2009 3:18 PM
To: John Raymond; Leo Cirbo; Margaret Egler; Bill Zears; Binh Nguyen; Rebecca Dorch; Marlene Windel; Linda Barnes; Nikki Shears; Thomas VanStavern; Kris McGowan; Ryan Hagihara; Nader Haghighat; David Charlton
Cc: Roger Goldblatt
Subject: FW: talking points -- DTV extension
Attachments: TP -- how FCC will use the DTV extension.doc; TPS delay 2-4-jpedits.doc; TP - public safety pw.doc

I'm sure you'll all be getting this from Roger shortly, but since this originated from Mark Wigfield, the new FCC Press person, I'm forwarding to you to share with your staff and DMA coordinators.

Rebecca

**** Internal FCC Communications ***
*** Non-Public: For Internal Use Only ****

From: Lauren Kravetz
Sent: Wed 2/4/2009 5:40 PM
To: DTV-WestCentral
Subject: FW: talking points -- DTV extension

New talking points in light of the passage of the legislation. We'll dig up the statements of the Commissioners and send them on, too.

From: Mark Wigfield
Sent: Wednesday, February 04, 2009 5:38 PM
To: Cecilia Seppings; Lyle Elder; Patrick Webre; Keyla Hernandez-Ulloa; Lauren Kravetz; Roger Goldblatt; Jessica Przybyla
Cc: Cathy Seidel; Gary Epstein; Rudy Brioche; Rosemary Harold; Rick Chessen; Edie Herman
Subject: talking points -- DTV extension

Regional coordinators, please distribute these talking points regarding the DTV extension to your people in the field. They address what consumers should do, what the FCC will do with the time, and the public safety question. Statements from the Chairman and Commissioner McDowell are on the web site. If you have any questions, please call or e-mail. If I have neglected to send to anyone who needs them, please let me know.

Mark Wigfield
202-418-0253

How FCC will use the extension

- Improve our outreach program and send more FCC staff into communities to help consumers get ready for the transition
- Better prepare our call centers so that consumers can get a fast response with the information they need
- Help broadcasters provide the best possible signals over their service areas
- Help consumers identify and resolve reception issues, including problems with converter boxes and antennas
- Continue to improve coordination with other agencies, such as the NTIA (National Telecommunications and Information Administration), and with the private sector.

Talking Points on Extension

Despite the delay of the DTV transition to June 12, you should act now to make the transition. Here's why:

1. Even though the deadline has been pushed back, your local broadcasters may make the transition before then. So get ready now. Broadcasters must notify the public before shutting off their analog channels. Watch for announcements on the air or contact them directly.
2. Digital television is available now, so enjoy the benefits now by converting now. Benefits include more channels, better quality picture and sound, menu guides and more.
3. Run the "scan" function on your converter box or digital TV frequently to make sure you pick up any stations that change their broadcast channel, either when they make the transition early or after June 12.
4. Yes, there is a waiting list for converter box coupons. If your local broadcasters are converting soon, and you haven't applied for a coupon for your analog TV, make sure one TV is ready. To do this you may buy a box without a coupon, or subscribe to cable or satellite. Remember to apply for coupons to purchase boxes for your additional TVs.
5. Congress may provide more money for converter box coupons in the pending stimulus bill and end the waiting list.
6. By applying now, you'll have time to get coupons, install converter boxes, and check to see if your antenna works before June 12.
7. Analog is going away. So don't wait. Switch now!

Talking Point – Public Safety and DTV Delay

An important benefit of all-digital broadcasting is that it will free up parts of the valuable broadcast spectrum for more robust public safety communications. At this point, we do not believe there will be a significant impact on public safety as a result of the DTV transition deadline delay. Some of the spectrum is already being used by states and public safety organizations across the nation, and additional bands will be freed up as stations complete the DTV transition.

Margaret Egler

From: James Miller
Sent: Thursday, February 05, 2009 11:28 AM
To: DTV-Pacific
Subject: Public Notice for Procedures on Termination of Analog...

Attachments: Updated Daily Digest 02/05/2009



Updated Daily
Digest 02/05/200...

In regards to Sherille and Binh's discussions earlier today regarding stations required notifications to terminate 2/17, the public notice is out. For those of us running around with a blackberry in our pocket I am cutting and pasting some of the salient points I saw in the notice below for reference...

Released: 02/05/2009. FCC ANNOUNCES PROCEDURES REGARDING TERMINATION OF ANALOG TELEVISION SERVICE ON OR AFTER FEBRUARY 17, 2009 Termination Notifications for February 17 Must be Filed by Monday, February 9. (FCC No. 09-6). MB. Action by: the Commission
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.doc>
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.pdf>
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.txt>

If the DTV Delay Act is enacted into law, then stations that wish to terminate analog service on February 17, 2009 will be subject to the Third DTV Periodic Report and Order's requirement for prior FCC approval and the 60-day viewer notification requirement, as the Act's language allows termination prior to the new June 12, 2009 transition date in accordance with the Third DTV Periodic Report and Order's procedures, and the new transition date will be more than 90 days away.

We find that grant of a partial waiver for stations that terminate analog service on February 17 (in anticipation that the DTV Delay Act is enacted into law) is consistent with the DTV Delay Act's direction that the Commission, "[n]otwithstanding any other provision of law," take all actions necessary to implement its provisions, as well as the Third DTV Periodic Report and Order's goal of providing flexibility to stations in order to facilitate the digital transition.⁸ For the same reasons, we conclude that partial waiver of the Third DTV Periodic Report and Order requirement that stations seek STA approval for early termination at least 90 days in advance is justified.⁹ Accordingly, in anticipation that the DTV Delay Act is enacted into law, we waive in part the Third DTV Periodic Report and Order requirements of prior Commission approval, 60 days of viewer notification and 90-day advance notification to the Commission for stations that want to terminate analog service on February 17, 2009, subject to the conditions set forth below. Stations are not required to submit pleadings or engineering in support of a waiver request; rather, this Public Notice will operate as a waiver. No express grant of the waiver is required.

HOWEVER....

The Commission may consider [limit or reconsider this partial waiver], for example, we find that all or most of the stations in a market will terminate their analog service on February 17, and that the market is one in which many viewers

As a condition of the partial waiver of the early termination procedures set forth in the Third DTV Periodic Report and Order that we are granting herein, we will require stations that wish to terminate their analog signal transmission on February 17, 2009 to provide notice to the Commission, the public, and their viewers. Stations must notify the Commission no later than Monday, February 9, 2009 (11:59 p.m. EST), of their intention to terminate analog service on February 17,¹¹ and must also update their Transition Status

Reports (Form 387).

To protect viewer expectations and to carry out the purpose of the Third DTV Periodic procedures, these stations must also broadcast, prior to termination, the equivalent of 30 days worth of "viewer notifications," regarding the station's intention to terminate its analog service on February 17, 2009, despite the delay in the nationwide deadline.¹²

To comply with the viewer notification requirements, stations must utilize a combination of public service announcements (PSAs) and crawls, if technically feasible, to adequately and clearly communicate the required information, and to make particular note that the date the station is terminating is prior to the new nationwide date of June 12, 2009. In addition to the viewer notifications required by the Third DTV Periodic Report and Order, stations terminating on February 17 are required, as a condition of the waiver and if technically feasible, to broadcast a crawl on their analog channel regarding the station's termination of analog service, for the seven day period from February 10 (11:59 p.m. EST) through the termination of the station's analog signal on February 17 (11:59 p.m. EST). For the first five days, i.e., February 10 (11:59 p.m. EST) through February 14 (11:59 p.m. EST), the crawl must be aired for 5 minutes of every hour of the station's analog broadcast day, including during primetime.¹⁵ For the final two days, i.e., February 16 (11:59 p.m. EST) through February 17 (11:59 p.m. EST), the crawl must be aired for 10 minutes of every hour of the station's analog broadcast day, including during primetime.

Margaret Egler

From: Margaret Egler
Sent: Wednesday, February 04, 2009 2:12 PM
To: Margaret Egler; Rebecca Dorch; Linda Barnes; Leo Cirbo; Nikki Shears; Nader Haghghat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: RE: Here's the Bill - Senate Version S352

DTV Delay Act (Considered and Passed by Senate)

S 352 CPS

111th CONGRESS

1st Session

S. 352

To postpone the DTV transition date.

IN THE SENATE OF THE UNITED STATES

January 29, 2009

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Mr. KERRY, Ms. KLOBUCHAR, Mr. PRYOR, Mr. DORGAN, Mr. SCHUMER, Mr. KOHL, Mr. SANDERS, Mr. HARKIN, and Mr. CASEY) introduced the following bill; which was read twice, considered, read the third time, and passed

A BILL

To postpone the DTV transition date.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'DTV Delay Act'.

SEC. 2. POSTPONEMENT OF DTV TRANSITION DATE.

(a) In General- Section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended--

(1) by striking 'February 18, 2009;' in paragraph (1) and inserting 'June 13, 2009;'; and

3/9/2009

7

(2) by striking `February 18, 2009,' in paragraph (2) and inserting `that date'.

(b) Conforming Amendments-

(1) Section 3008(a)(1) of that Act (47 U.S.C. 309 note) is amended by striking `February 17, 2009.' and inserting `June 12, 2009.'.

(2) Section 309(j)(14)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)(A)) is amended by striking `February 17, 2009.' and inserting `June 12, 2009.'.

(3) Section 337(e)(1) of the Communications Act of 1934 (47 U.S.C. 337(e)(1)) is amended by striking `February 17, 2009.' and inserting `June 12, 2009.'.

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(A) the recovered analog spectrum, as such term is defined in section 309(j)(15)(C) (vi) of the Communications Act of 1934; and

(B) the spectrum excluded from the definition of recovered analog spectrum by subclauses (I) and (II) of such section.

SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CONVERTER BOX PROGRAM.

(a) Extension of Coupon Program- Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking `March 31, 2009,' and inserting `July 31, 2009,'.

(b) Treatment of Expired Coupons- Section 3005(c)(1) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by adding at the end the following:

`(D) EXPIRED COUPONS- The Assistant Secretary may issue to a household, upon request by the household, one replacement coupon for each coupon that was issued to such household and that expired without being redeemed.'.

(c) Conforming Amendment- Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking `receives, via the United States Postal Service,' and inserting `redeems'.

(d) Condition of Modifications- The amendments made by this section shall not take effect until the enactment of additional budget authority after the date of enactment of this Act to carry out the analog-to-digital converter box program under section 3005 of the Digital Television Transition and Public Safety Act of 2005.

SEC. 4. IMPLEMENTATION.

(a) Permissive Early Termination Under Existing Requirements- Nothing in this Act is intended to prevent a licensee of a television broadcast station from terminating the broadcasting of such station's analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission's requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 07-228, MB Docket No. 07-91, released December 31, 2007).

(b) Public Safety Radio Services- Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. 90.545).

(c) Expedited Rulemaking- Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications and Information Administration shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.

SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking `2011.' and inserting `2012.'.

From: Margaret Egler
Sent: Wednesday, February 04, 2009 2:07 PM
To: Rebecca Dorch; Linda Barnes; Leo Cirbo; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: RE: WR Management Conference Call

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To: Linda Barnes; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
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Agenda for today and more.

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Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: WR Management Conference Call

There will be a Western Region Management conference call today at 2:00 p.m. pt on the 816 823-1760 "meet me" line. -Linda

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Cc: Rebecca Dorch
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Margaret Egler

From: Margaret Egler
Sent: Wednesday, February 11, 2009 5:24 PM
To: DTV-Pacific; DTV-WestCentral
Subject: DTV Delay Bill was just signed

<http://www.washingtonpost.com/wp-dyn/content/article/2009/02/11/AR2009021103166.html?hpid=moreheadlines>

Margaret Egler

From: Nikki Shears
Sent: Friday, January 23, 2009 9:12 AM
To: Thomas VanStavern; Bill Zears; Kris McGowan; Margaret Egler; Nader Haghghat
Subject: FW: DTV Delay - compromise bill in Senate

In the event that "(an)other region" was not Pacific.

From: Katrina Kleinwachter
Sent: Friday, January 23, 2009 9:48 AM
To: DTV-WestCentral
Subject: DTV Delay - compromise bill in Senate

FYI, someone in another region just passed this on to me:

For Immediate Release
January 23rd, 2009

STATEMENT BY SENATOR HUTCHISON ON SHIFT OF DTV TRANSITION DATE

WASHINGTON, D.C. – Senator Kay Bailey Hutchison (R-Texas), Ranking Member of the Senate Commerce, Science, and Transportation Committee, today released the following statement on legislation to shift the nation's digital television transition from February 17, 2009 to June 12, 2009.

"I had serious concerns about shifting the digital television transition without a sound plan to inform consumers or address the converter box coupon shortage," said **Senator Hutchison**. "I am pleased that Chairman Rockefeller worked with me to address many of the concerns with the early proposals. These changes will help consumers whose coupons have expired, and allow TV stations that are prepared, and ready, to move forward without the requirement of simulcasting. Senator Rockefeller's personal commitment to me to not seek another delay provides needed certainty to bring this transition to a conclusion. Significant challenges remain, however, and I will continue working with my colleagues in Congress to ensure a smooth transition to digital television for all Americans."

Key provisions of the compromise bill include the following:

- In order to better educate consumers about the transition, and to provide consumers with ample opportunity to utilize the converter-box coupon program, the digital transition will shift from February 17, 2009 to June 12, 2009.
- Over-the-air broadcast television stations may voluntarily switch from analog to digital service before June 12, 2009. Stations that are fully prepared for the

switch can make the transition early through a Federal Communications Commission process. In addition to the several markets that already have made the transition, many additional markets are expected to be prepared to make the transition prior to June 12, 2009 – this bill will permit these stations to transition early and bring consumers the advantages of digital service as quickly as possible.

- In the event a broadcast station switches early to digital service, public safety services may start using the vacated spectrum.
- Consumers with expired coupons may apply for new replacement coupons. This provides relief to consumers who, because of natural disasters, retail or mail issues, were unable to redeem their coupons.

#

http://commerce.senate.gov/public/index.cfm?FuseAction=PressReleases.Detail&PressRelease_id=0c0d9b05-3096-46c1-88ae-36fe1b30ff60&Month=1&Year=2009

Margaret Egler

From: Lauren Kravetz
Sent: Thursday, February 05, 2009 10:06 AM
To: DTV-WestCentral
Subject: S.352 as passed, for your reading pleasure

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S 352 CPS

111th CONGRESS

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`(D) EXPIRED COUPONS- The Assistant Secretary may issue to a household, upon request by the household, one replacement coupon for each coupon that was issued to such household and that expired without being redeemed.'

(c) Conforming Amendment- Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking `receives, via the United States Postal Service,' and inserting `redeems'.

(d) Condition of Modifications- The amendments made by this section shall not take effect until the enactment of additional budget authority after the date of enactment of this Act to carry out the analog-to-digital converter box program under section 3005 of the Digital Television Transition

and Public Safety Act of 2005.

SEC. 4. IMPLEMENTATION.

(a) **Permissive Early Termination Under Existing Requirements-** Nothing in this Act is intended to prevent a licensee of a television broadcast station from terminating the broadcasting of such station's analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission's requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 07-228, MB Docket No. 07-91, released December 31, 2007).

(b) **Public Safety Radio Services-** Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. 90.545).

(c) **Expedited Rulemaking-** Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications and Information Administration shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.

SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking `2011.' and inserting `2012.'.

From: Margaret Egler
Sent: Wednesday, February 04, 2009 2:07 PM
To: Rebecca Dorch; Linda Barnes; Leo Cirbo; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: RE: WR Management Conference Call

From: Rebecca Dorch
Sent: Wednesday, February 04, 2009 1:47 PM
To: Linda Barnes; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris

McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: RE: WR Management Conference Call

Agenda for today and more.

**** Internal FCC Communications ****
**** Non-Public: For Internal Use Only ****

From: Linda Barnes
Sent: Wed 2/4/2009 2:02 PM
To: Rebecca Dorch; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern;
Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen
Subject: WR Management Conference Call

There will be a Western Region Management conference call today at 2:00 p.m. pt on the 816 823-1760 "meet me" line. -Linda

**** Non-Public: For Internal Use Only ****

Margaret Egler

From: Lauren Kravetz
Sent: Wednesday, February 04, 2009 10:20 AM
To: DTV-WestCentral
Subject: Legislative Update

From my friend at Congressional Quarterly.

From: Megan Sowder-Staley [mailto:megan.sowder@gmail.com]
Sent: Wednesday, February 04, 2009 1:18 PM
To: Lauren Kravetz
Subject: FYI

The House is considering the Senate version of the DTV Delay Act today...should be a vote on it around 4pm or so. If it passes it would be cleared for the president.

3/9/2009

24

Margaret Egler

From: Lauren Kravetz

Sent: Wednesday, February 04, 2009 1:13 PM

To: DTV-WestCentral

Subject: Delay Bill Just Passed 261-158. Stay tune. (No pun intended.)

3/9/2009

25

Arthur Scrutchins

From: Sue McNeil
Sent: Monday, March 09, 2009 6:24 PM
To: Arthur Scrutchins
Cc: Sue McNeil
Subject: FW: for questions on expired coupons

Attachments: image002.jpg; image001.png



image002.jpg (4 KB)



image001.png (37 KB)

FYI, this is one of three emails that I am forwarding. That is all I have regarding the FOIA request.

-----Original Message-----

From: Sue McNeil
Sent: Thursday, February 19, 2009 12:23 PM
To: 'lneedham@ribroadcasters.com'
Cc: Christine DelVecchio
Subject: Fw: for questions on expired coupons

Lori, FYI in case you continue to get calls on this issue. Please remind folks that coupon program is administered by NTIA. Thanks!

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Roger Goldblatt
To: DTV-Volunteers
Sent: Thu Feb 19 12:17:39 2009
Subject: for questions on expired coupons

From NTIA's Web site:

The DTV Delay Act passed by Congress will allow the Coupon Program, upon request, to offer replacement coupons for those which have expired without being redeemed. However, this program change will not take effect until completion of a rule-making process and system changes.

For this reason, the Coupon Program cannot accept requests to replace expired coupons at this time. NTIA is moving quickly to modify the program in accordance with the recent legislation. You can check NTIA's website at www.dtv2009.gov <<http://www.dtv2009.gov/>> for updates on when applications for replacement coupons will be accepted.

<<http://www.dtv.gov/>> <<http://www.dtv.gov/>> <<http://www.dtv.gov/>>

Public Notice for Procedures on Termination of Analog .txt

From: James Miller
Sent: Thursday, February 05, 2009 12:28 PM
To: DTV-Pacific
Subject: Public Notice for Procedures on Termination of Analog...

Attachments: Updated Daily Digest 02/05/2009

In regards to Sherille and Binh's discussions earlier today regarding stations required notifications to terminate 2/17, the public notice is out. For those of us running around with a blackberry in our pocket I am cutting and pasting some of the salient points I saw in the notice below for reference...

Released: 02/05/2009. FCC ANNOUNCES PROCEDURES REGARDING TERMINATION OF ANALOG TELEVISION SERVICE ON OR AFTER FEBRUARY 17, 2009 Termination Notifications for February 17 Must be Filed by Monday, February 9. (FCC No. 09-6). MB. Action by: the Commission
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.doc>
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.pdf>
<http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-09-6A1.txt>

If the DTV Delay Act is enacted into law, then stations that wish to terminate analog service on February 17, 2009 will be subject to the Third DTV Periodic Report and Order's requirement for prior FCC approval and the 60-day viewer notification requirement, as the Act's language allows termination prior to the new June 12, 2009 transition date in accordance with the Third DTV Periodic Report and Order's procedures, and the new transition date will be more than 90 days away.

We find that grant of a partial waiver for stations that terminate analog service on February 17 (in anticipation that the DTV Delay Act is enacted into law) is consistent with the DTV Delay Act's direction that the Commission, "[n]otwithstanding any other provision of law," take all actions necessary to implement its provisions, as well as the Third DTV Periodic Report and Order's goal of providing flexibility to stations in order to facilitate the digital transition.⁸ For the same reasons, we conclude that partial waiver of the Third DTV Periodic Report and Order requirement that stations seek STA approval for early termination at least 90 days in advance is justified.⁹ Accordingly, in anticipation that the DTV Delay Act is enacted into law, we waive in part the Third DTV Periodic Report and Order requirements of prior Commission approval, 60 days of viewer notification and 90-day advance notification to the Commission for stations that want to terminate analog service on February 17, 2009, subject to the conditions set forth below. Stations are not required to submit pleadings or engineering in support of a waiver request; rather, this Public Notice will operate as a waiver. No express grant of the waiver is required.

HOWEVER...

The Commission may consider [limit or reconsider this partial waiver], for example, we find that all or most of the stations in a market will terminate their analog service on February 17, and that the market is one in which many viewers

As a condition of the partial waiver of the early termination procedures set forth in the Third DTV Periodic Report and Order that we are granting herein, we will require stations that wish to terminate their analog signal transmission on February 17, 2009 to provide notice to the Commission, the public, and their viewers. Stations must notify the Commission no later than Monday, February 9, 2009 (11:59 p.m. EST), of their intention to terminate analog service on February 17,¹¹ and must also update their Transition Status Reports (Form 387).

To protect viewer expectations and to carry out the purpose of the Third DTV Periodic procedures, these stations must also broadcast, prior to termination, the equivalent of 30 days worth of "viewer notifications," regarding the station's intention to terminate its analog service on February 17, 2009, despite the delay in the nationwide deadline.¹²

To comply with the viewer notification requirements, stations must utilize a combination of public service announcements (PSAs) and crawls, if technically feasible, to adequately and clearly communicate the required information, and to make particular note that the date the station is terminating is prior to the new nationwide date of June 12, 2009. In addition to the viewer

Public Notice for Procedures on Termination of Analog .txt
notifications required by the Third DTV Periodic Report and Order, stations terminating on February 17 are required, as a condition of the waiver and if technically feasible, to broadcast a crawl on their analog channel regarding the station's termination of analog service, for the seven day period from February 10 (11:59 p.m. EST) through the termination of the station's analog signal on February 17 (11:59 p.m. EST). For the first five days, i.e., February 10 (11:59 p.m. EST) through February 14 (11:59 p.m. EST), the crawl must be aired for 5 minutes of every hour of the station's analog broadcast day, including during primetime.¹⁵ For the final two days, i.e., February 16 (11:59 p.m. EST) through February 17 (11:59 p.m. EST), the crawl must be aired for 10 minutes of every hour of the station's analog broadcast day, including during primetime.

(1) Section 3008(a)(1) of that Act (47 U.S.C. 309 note) is amended by striking 'February 17, 2009.' and inserting 'June 12, 2009.'.

(2) Section 309(j)(14)(A) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)(A)) is amended by striking 'February 17, 2009.' and inserting 'June 12, 2009.'.

(3) Section 337(e)(1) of the Communications Act of 1934 (47 U.S.C. 337(e)(1)) is amended by striking 'February 17, 2009.' and inserting 'June 12, 2009.'.

(c) License Terms-

(1) EXTENSION- The Federal Communications Commission shall extend the terms of the licenses for the recovered spectrum, including the license period and construction requirements associated with those licenses, for a 116-day period.

(2) DEFINITION- In this subsection, the term 'recovered spectrum' means--

(A) the recovered analog spectrum, as such term is defined in section 309(j)(15)(C) (vi) of the Communications Act of 1934; and

(B) the spectrum excluded from the definition of recovered analog spectrum by subclauses (I) and (II) of such section.

SEC. 3. MODIFICATION OF DIGITAL-TO-ANALOG CONVERTER BOX PROGRAM.

(a) Extension of Coupon Program- Section 3005(c)(1)(A) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by striking 'March 31, 2009,' and inserting 'July 31, 2009,'.

(b) Treatment of Expired Coupons- Section 3005(c)(1) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note) is amended by adding at the end the following:

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(d) Condition of Modifications- The amendments made by this section shall not take effect until the enactment of additional budget authority after the date of enactment of this Act to carry out the analog-to-digital converter box program under section 3005 of the Digital Television Transition and Public Safety Act of 2005.

SEC. 4. IMPLEMENTATION.

(a) Permissive Early Termination Under Existing Requirements- Nothing in this Act is intended to

6

prevent a licensee of a television broadcast station from terminating the broadcasting of such station's analog television signal (and continuing to broadcast exclusively in the digital television service) prior to the date established by law under section 3002(b) of the Digital Television Transition and Public Safety Act of 2005 for termination of all licenses for full-power television stations in the analog television service (as amended by section 2 of this Act) so long as such prior termination is conducted in accordance with the Federal Communications Commission's requirements in effect on the date of enactment of this Act, including the flexible procedures established in the Matter of Third Periodic Review of the Commission's Rules and Policies Affecting the Conversion to Digital Television (FCC 07-228, MB Docket No. 07-91, released December 31, 2007).

(b) Public Safety Radio Services- Nothing in this Act, or the amendments made by this Act, shall prevent a public safety service licensee from commencing operations consistent with the terms of its license on spectrum recovered as a result of the voluntary cessation of broadcasting in the analog or digital television service pursuant to subsection (a). Any such public safety use shall be subject to the relevant Federal Communications Commission rules and regulations in effect on the date of enactment of this Act, including section 90.545 of the Commission's rules (47 C.F.R. 90.545).

(c) Expedited Rulemaking- Notwithstanding any other provision of law, the Federal Communications Commission and the National Telecommunications and Information Administration shall, not later than 30 days after the date of enactment of this Act, each adopt or revise its rules, regulations, or orders or take such other actions as may be necessary or appropriate to implement the provisions, and carry out the purposes, of this Act and the amendments made by this Act.

SEC. 5. EXTENSION OF COMMISSION AUCTION AUTHORITY.

Section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)) is amended by striking `2011.' and inserting `2012.'.

From: Margaret Egler

Sent: Wednesday, February 04, 2009 2:07 PM

To: Rebecca Dorch; Linda Barnes; Leo Cirbo; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen

Subject: RE: WR Management Conference Call

From: Rebecca Dorch

Sent: Wednesday, February 04, 2009 1:47 PM

To: Linda Barnes; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghighat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen

Subject: RE: WR Management Conference Call

Agenda for today and more.

*** Internal FCC Communications ***

7

*** Non-Public: For Internal Use Only ***

From: Linda Barnes

Sent: Wed 2/4/2009 2:02 PM

To: Rebecca Dorch; Leo Cirbo; Margaret Egler; Nikki Shears; Nader Haghghat; Bill Zears; Thomas VanStavern; Kris McGowan; David Charlton; Marlene Windel; Ryan Hagihara; John Raymond; Binh Nguyen

Subject: WR Management Conference Call

There will be a Western Region Management conference call today at 2:00 p.m. pt on the 816 823-1760 "meet me" line. -Linda

*** Non-Public: For Internal Use Only ***



Anderson Bennett

From: Anderson Bennett
Sent: Wednesday, February 04, 2009 2:08 PM
To: James Miller; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

My DMA has 12 full power stations. My informal poll indicates over half are sticking with the 2/17 shut-off date. This included the big three network stations + the FOX station. Bottom line, unless they change their minds, there won't be much analog left in DMA#55 on 2/18.

Anderson Bennett
DTV Coordinator - DMA#55 - Fresno - Visalia, CA
562-865-2258

*** Non-Public: For Internal Use Only ***

From: James Miller
Sent: Wednesday, February 04, 2009 1:54 PM
To: DTV-Pacific
Subject: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger had discussed sending out an email to DMA coordinators to prepare a list of what stations: intend to delay until the new date; intend to still go on 2/17; and which have already transitioned. I hadn't seen an email to that effect but was curious what other DMA Coordinators markets were looking like. Does everyone have this info available? I'm waiting for station that is waiting for word from their Corporate office.

The vote was 264 to 158, with more Republicans voting for the delay (23) than there were Democrats (10) going against the Obama administration and party leadership to vote against it.

...
Some stations have already indicated they are sticking with the Feb. 17 date. The FCC said it had heard from 276 stations to that effect, in addition to 143 stations that had already pulled the plug, and another 60 who said they planned to do so before Feb. 17. The FCC had pointed out that some of those 276 may change their minds once the date changes.

http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

—
James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

3/4/2009

15

Anderson Bennett

From: Anderson Bennett
Sent: Wednesday, February 04, 2009 2:38 PM
To: James Miller; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Has anybody checked the accuracy of this site? This guy seems to want the job..

<http://www.rabbitears.info/dtr.php>

*** Non-Public: For Internal Use Only ***

From: James Miller
Sent: Wednesday, February 04, 2009 2:31 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sorry the attachment didn't take..

From: James Miller
Sent: Wednesday, February 04, 2009 5:30 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

I wonder if we could fill in the Station Call Signs and Dates as they become available. I'm happy to enter them if DMA coordinators want to email me directly. I'm guessing this might be helpful for Maureen and Roger to have COB.

From: James Miller
Sent: Wednesday, February 04, 2009 5:04 PM
To: Jennifer Flynn; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Can we start adding station names and status?

Las Vegas, xxxx TBD
Chico-Redding, KRCR (TBD)
[James Miller] Fresno-Visalia, {ABC} (2/17), {NBC} (2/17), {CBS}, (2/17), {FOX} (2/17)
[James Miller]

From: Jennifer Flynn

Sent: Wednesday, February 04, 2009 4:56 PM
To: James Miller; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

My state broadcasters get together and decide, even if the decision isn't uniform. Waiting to hear.

Jennifer A. Flynn
DMA Coordinator, Las Vegas
Federal Communications Commission
Mobile 202.503.0774
Office 202.418.0612
Jennifer.Flynn@fcc.gov



From: James Miller
Sent: Wednesday, February 04, 2009 4:54 PM
To: DTV-Pacific
Subject: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger had discussed sending out an email to DMA coordinators to prepare a list of what stations: intend to delay until the new date; intend to still go on 2/17; and which have already transitioned. I hadn't seen an email to that effect but was curious what other DMA Coordinators markets were looking like. Does everyone have this info available? I'm waiting for station that is waiting for word from their Corporate office.

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http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

—
James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

3/4/2009

17

Anderson Bennett

From: Anderson Bennett
Sent: Thursday, February 05, 2009 11:39 AM
To: 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net';
'mlgutierrez@univision.net'; 'lindadanna@CBSFresno.com';
'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fnam.tv'; 'tvbob@kail.tv';
'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; 'cbapowers@aol.com';
'cbaberry@aol.com'; 'jamie.hartnett@gmail.com'; 'Simmonds, Carlton'; 'Kevin Mosesian'
Subject: FCC Public Notice with procedures for new analog cutoff date
Attachments: FCC-09-6A1.pdf

Ladies and gentlemen

This document was just posted on FCC website.

Bottom line, if you want to transition on 2/17, you have to notify by Monday 2/9...and then run lots of crawls or PSAs during last two weeks...and maybe get told no... Otherwise... wait till at least March 14.



FCC-09-6
.pdf (160 K)

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Anderson Bennett

From: Anderson Bennett
Sent: Thursday, February 05, 2009 3:45 PM
To: George Hillis
Cc: Todd McWilliams; John Lockhart
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

I just don't know... I'll pass the question up the chain..

Also , if you choose to run a crawl, does it have to appear on the digital signal or can it just be on the analog ?.....
I don't know that either...

*** Non-Public: For Internal Use Only ***

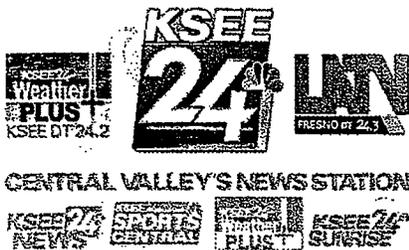
From: George Hillis [mailto:georgeh3@ksee.com]
Sent: Thursday, February 05, 2009 3:39 PM
To: Anderson Bennett
Cc: Todd McWilliams; John Lockhart
Subject: RE: FCC Public Notice with procedures for new analog cutoff date
Importance: High

Anderson:

We have been running the PSA's, 4 times per day (1 sometimes 2 in Prime), since January 23rd, can we get credit for those towards the 120?

Thanx and stay tuned!

George Hillis
Operations/Program Mgr
559.454.2435



From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Thursday, February 05, 2009 11:39 AM

3/4/2009

19

To: jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net;
lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; George Hillis; tom@fmam.tv; tvbob@kail.tv;
richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; cbapowers@aol.com; cbaberry@aol.com;
jamie.hartnett@gmail.com; Simmonds, Carlton; Kevin Mosesian
Subject: FCC Public Notice with procedures for new analog cutoff date

Ladies and gentlemen

This document was just posted on FCC website.

Bottom line, If you want to transition on 2/17, you have to notify by Monday 2/9...and then run lots of crawls or PSAs during last two weeks...and maybe get told no... Otherwise... wait till at least March 14.

<<FCC-09-6A1.pdf>>

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Anderson Bennett

From: Anderson Bennett
Sent: Thursday, February 05, 2009 4:21 PM
To: James Miller
Cc: Nader Haghghat
Subject: RE: DMA Coordinators: What are your Stations Going to Do?
Attachments: DTV Fresno status 2-5-09.xls

James... Here is info for DMA#55 as of COB 2/5/09. Situation is fluid.

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia, California
562-865-2258

*** Non-Public: For Internal Use Only ***

From: James Miller
Sent: Thursday, February 05, 2009 3:21 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sherille pointed out Chairman Cops mentioned in the en banc that the affiliates (at least their owned and operated stations) may all be transitioning in blocks. Again our effort here is to give Roger and Maureen a heads up of what the word on the street is. We understand some stations have decided not to go on 2/17 after reading the public notice.

W/ current updates.. Let me know if I've munged anyone's entries.

From: James Miller
Sent: Thursday, February 05, 2009 4:48 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger asked me to send out mail and ask all DMA Coordinators to enter what you know by COB today. Many stations are coordinating regionally so we'll probably have a waterfall as stations confirm their plans--after digesting the public notice.

Please make sure you populate a section of the spreadsheet with Your name, DMA Name, DMA #, Station Call Sign/Affiliate, Elected Transition Date. If you have notes please try to put them to side in the last (sixth) column rather than putting them below (Makes it easier to cut and paste entries..).

Again, specifics are better but if you have a "gist" please enter what's available.

From: James Miller

3/4/2009

21

Sent: Thursday, February 05, 2009 11:06 AM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

This is our snapshot as of 11am of Chico, Fresno, Bend, Medford, Portland, Las Vegas, Spokane, Salt Lake, Fairbanks and Juneau, and Bay Area. If you haven't chimed in feel free to send me mail with your DMA # and whatever info you have available. Also please feel free to update and correct the list with your DMA numbers, station info etc. Again nothing overly formal but everyone's grasping for a view of what the stations are thinking.

From: James Miller
Sent: Wednesday, February 04, 2009 7:00 PM
To: Michael C. Smith; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Thanks Mike.

I spoke to Roger (yes he does exist!) and I think they will want this whenever available and at the whatever level of specificity we can offer.

If DMA coordinators send me info about their regions I'll enter it into the spreadsheet--feel free to update the excel and send it to me if you have the stations handy. Please update Mike's version if you do though. Another note if you have the date that stations have already transitioned please enter the specific date (if available). We can continue to update it so not a COB deadline I think.

From: Michael C. Smith
Sent: Wednesday, February 04, 2009 6:24 PM
To: James Miller; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Jim,

I think your spreadsheet is a good way to gain an overall picture of the transition on February 17th. I have added my DMA info and attached the spreadsheet. Let me know if you need anything else.

Michael C. Smith
DTV Coordinator for Bend, Medford, Klamath Falls, OR
Federal Communication Commission
445 12th Street SW, Washington, DC 20554
MichaelC.Smith@fcc.gov
(202) 418-0584 (office)
(202) 503-0900 (blackberry)

From: James Miller
Sent: Wednesday, February 04, 2009 5:31 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sorry the attachment didn't take..

From: James Miller
Sent: Wednesday, February 04, 2009 5:30 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

I wonder if we could fill in the Station Call Signs and Dates as they become available. I'm happy to enter them if DMA coordinators want to email me directly. I'm guessing this might be helpful for Maureen and Roger to have COB.

From: James Miller
Sent: Wednesday, February 04, 2009 5:04 PM
To: Jennifer Flynn; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Can we start adding station names and status?

Las Vegas, xxxx TBD
Chico-Redding, KRRC (TBD)
[James Miller] Fresno-Visalia, {ABC} (2/17), {NBC} (2/17), {CBS}, (2/17), {FOX} (2/17)
[James Miller]

From: Jennifer Flynn
Sent: Wednesday, February 04, 2009 4:56 PM
To: James Miller; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

My state broadcasters get together and decide, even if the decision isn't uniform. Waiting to hear.

Jennifer A. Flynn
DMA Coordinator, Las Vegas
Federal Communications Commission
Mobile 202.503.0774
Office 202.418.0612
Jennifer.Flynn@fcc.gov



From: James Miller
Sent: Wednesday, February 04, 2009 4:54 PM
To: DTV-Pacific
Subject: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger had discussed sending out an email to DMA coordinators to prepare a list of what stations: intend to delay until the new date; intend to still go on 2/17; and which have already transitioned. I hadn't seen an email to that effect but was curious what other DMA Coordinators markets were looking like. Does everyone have this info available? I'm waiting for station that is waiting for word from their Corporate office.

The vote was 264 to 158, with more Republicans voting for the delay (23) than there were Democrats (10) going against the Obama administration and party leadership to vote against it.

...
Some stations have already indicated they are sticking with the Feb. 17 date. The FCC said it had heard from 276 stations to that effect, in addition to 143 stations that had already pulled the plug, and another 60 who said they planned to do so before Feb. 17. The FCC had pointed out that some of those 276 may change their minds once the date changes.

http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

--

James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

3/4/2009

24

Network	CALLSIGN	analog plans as of 2/5/09
ABC	KFSN	TBD -will follow market
PBS	KVPT	99% sure to switch 2/17.
CW	KFRE-TV	stay analog a while longer
FOX	KMPH-TV	stay analog a while longer
Univision	KFTV	awaiting callback
TeleFutura	KTFF-TV	awaiting callback
	KGMC	awaiting callback
CBS	KGPE	was hopeful for 2/17 awaiting callback to confirm
Diocese	KNXT	was hopeful for 2/17 awaiting callback to confirm
NBC	KSEE	will switch on 2/17
MyTV	KAIL	stay analog as long as possible
Telemundo	KNSO	will be after 2/17 because of TX swapping

Anderson Bennett

From: Anderson Bennett
Sent: Friday, February 06, 2009 8:34 AM
To: George Hillis
Subject: RE: FCC Public Notice with procedures for new analog cutoff date
Attachments: _0205155201_001.pdf

Not exactly...but

NTIA supposedly knows how many coupons are backordered. This link is latest I have by congressional district (California Congressional Districts 19, 20, 21 & 22) are about equal to DMA#55 shows about 18,500 DMA#55 households waiting for coupons.

http://energycommerce.house.gov/Press_111/20090202/dtvwaitinglist.pdf

Here also is .pdf of a report showing how many households watch over the air for the six counties that are DMA#55. If you believe it, there are 133,000 households watching over-the-air in the six county area.

*** Non-Public: For Internal Use Only ***

From: George Hillis [mailto:georgeh3@ksee.com]
Sent: Friday, February 06, 2009 8:12 AM
To: Anderson Bennett
Subject: RE: FCC Public Notice with procedures for new analog cutoff date
Importance: High

Anderson:
Do you know how we find out how many households need converters?

Thanx and stay tuned!

George Hillis
Operations/Program Mgr
559.454.2435



CENTRAL VALLEY'S NEWS STATION



From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Thursday, February 05, 2009 3:45 PM

3/4/2009

26

To: George Hillis
Cc: Todd McWilliams; John Lockhart
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

I just don't know... I'll pass the question up the chain..

Also , if you choose to run a crawl, does it have to appear on the digital signal or can it just be on the analog ?.....
I don't know that either...

*** Non-Public: For Internal Use Only ***

From: George Hillis [mailto:georgeh3@ksee.com]
Sent: Thursday, February 05, 2009 3:39 PM
To: Anderson Bennett
Cc: Todd McWilliams; John Lockhart
Subject: RE: FCC Public Notice with procedures for new analog cutoff date
Importance: High

Anderson:

We have been running the PSA's, 4 times per day (1 sometimes 2 in Prime), since January 23rd, can we get credit for those towards the 120?

Thanx and stay tuned!

George Hillis
Operations/Program Mgr
559.454.2435



CENTRAL VALLEY'S NEWS STATION



From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Thursday, February 05, 2009 11:39 AM
To: jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net; lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; George Hillis; tom@fmam.tv; tvbob@kail.tv; richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; cbapowers@aol.com; cbaberry@aol.com; jamie.hartnett@gmail.com; Simmonds, Carlton; Kevin Mosesian
Subject: FCC Public Notice with procedures for new analog cutoff date

Ladies and gentlemen

3/4/2009

27

This document was just posted on FCC website.

Bottom line, If you want to transition on 2/17, you have to notify by Monday 2/9...and then run lots of crawls or PSAs during last two weeks...and maybe get told no... Otherwise... wait till at least March 14.

<<FCC-09-6A1.pdf>>

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia
562-865-2258

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3/4/2009

28

Media Penetration by County and DMA Fresno-Visalia

DMA Rank	DMA Name	State	County Name	2009: 2009 TV Hhs	Cable and/or Hhs	ADS %	Cable Hhs	ADS %	ADS Hhs	ADS %	Broadcast-Only Hhs	ADS %
55	Fresno-Visalia	CA	FRESNO	284,620	214,340	75.3%	121,610	42.7%	95,210	33.5%	70,280	24.7%
55	Fresno-Visalia	CA	KINGS	39,580	32,090	81.1%	16,310	41.2%	16,190	40.9%	7,490	18.9%
55	Fresno-Visalia	CA	MADERA	43,260	34,080	78.8%	11,940	27.6%	22,310	51.6%	9,170	21.2%
55	Fresno-Visalia	CA	MARIPOSA	6,790	5,270	77.6%	320	4.7%	4,980	73.3%	1,520	22.4%
55	Fresno-Visalia	CA	MERCED	74,330	62,620	84.2%	27,840	37.5%	35,460	47.7%	11,710	15.8%
55	Fresno-Visalia	CA	TULARE	126,320	92,970	73.6%	35,260	27.9%	58,920	46.6%	33,350	26.4%
55	Fresno-Visalia Total			574,900	441,380	76.8%	213,300	37.1%	233,070	40.5%	133,620	23.2%
U.S. Grand Total				114,486,850	101,273,770	88.5%	66,719,900	60.9%	32,511,940	28.4%	13,182,880	11.5%

Source: FCC Staff estimates based on data provided by the Nielsen Company
 The Nielsen Company, Universe Estimates, Media Related TV Households and Penetrations by County within DMA, Oct. 30, 2008
 TV Household Estimates: Jan. 1, 2009; Media Related Universe Estimates: Nov. 2008

Anderson Bennett

From: Anderson Bennett
Sent: Friday, February 06, 2009 10:43 AM
To: Jamie Hartnett
Subject: RE: February 17 - To switch..or not to switch
Attachments: DTV Fresno status 2-5-09.xls

Jamie.. All I cover is Fresno-Visalia, DMA#55

I contacted the station GMs via email and phone calls, and as of last night, there was still a lot of indecision. FYI, here is data I reported to D.C. last night. Also I am watching this website...

<http://www.rabbitears.info>

Good Luck...

Anderson Bennett
Federal Communications Commission
Enforcement Bureau - Los Angeles Office
DTV Coordinator for DMA 55, Fresno, Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

From: Jamie Hartnett [mailto:jamie.hartnett@gmail.com]
Sent: Friday, February 06, 2009 10:23 AM
To: Anderson Bennett
Subject: Re: February 17 - To switch..or not to switch

Hi Anderson, I'm putting together a spreadsheet for the state of California to show the TV stations' plans to transition by market. Would you share with me what you know about the markets you are covering? Thanks so much. Jamie

On Mon, Jan 26, 2009 at 1:26 PM, Anderson Bennett <Anderson.Bennett@fcc.gov> wrote:

Ladies and Gentlemen

As you know the Congress is very close to passing legislation that would authorize a delay of the planned DTV cutover until June 17th.... In speaking with several of you, my impression has been that this would **not** be

3/4/2009

30

welcome, and that the February 17th date is just fine for you to terminate analog broadcasting. I have now been asked to take an informal straw poll, the general results of which I would share with Washington. Since this is an informal straw poll. I would not name names of specific stations in my report back to HQ, and anything you report at this point is certainly not binding....

That being said.. I would appreciate it if you could respond to these questions. .

- 1) Would your station prefer to terminate analog broadcasting at midnight on 2/17/09, even if Congress authorizes a later date?
- 2) Would your station prefer to terminate analog broadcasting on some date after 2/17/09, if at least half of the other full power stations in the market agree to the same date?
- 3) Would your station prefer to terminate analog broadcasting on a date after 2/17/09, without regard to the actions of the other stations in the market, even up to the new deadline?

Again I want to emphasize. I won't share specific responses with HQ. Just the general results in percentages... If you are concerned about reporting this information to a government email address, feel free to respond to my personal address.

anderson.bennett @ [gmail.com](mailto:anderson.bennett@gmail.com)

Thanks

Anderson Bennett
Federal Communications Commission
Enforcement Bureau - Los Angeles Office
DTV Coordinator for DMA 55, Fresno, Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

--
Jamie Hartnett
Executive Director
California Broadcasters Association
JHartnett@yourcba.com
ph 760-448-6181

3/4/2009

31

Network	CALLSIGN	analog plans as of 2/5/09
ABC	KFSN	TBD -will follow market
PBS	KVPT	99% sure to switch 2/17
CW	KFRE-TV	stay analog a while longer
FOX	KMPH-TV	stay analog a while longer
Univision	KFTV	awaiting callback
TeleFutura	KTFF-TV	awaiting callback
	KGMC	awaiting callback
CBS	KGPE	was hopeful for 2/17 awaiting callback to confirm
Diocese	KNXT	was hopeful for 2/17 awaiting callback to confirm
NBC	KSEE	will switch on 2/17
MyTV	KAIL	stay analog as long as possible
Telemundo	KNSO	will be after 2/17 because of TX swapping

Anderson Bennett

From: Anderson Bennett
Sent: Monday, February 09, 2009 10:54 AM
To: Kevin Mosesian
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

If you are waiting until 6/12..the old PSA rules apply.

*** Non-Public: For Internal Use Only ***

From: Kevin Mosesian [mailto:kevin@cocolatv.com]
Sent: Monday, February 09, 2009 10:22 AM
To: Anderson Bennett
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

Anderson,

In regards to the 100 Day countdown, should those still be running?
Thanks
Kevin



Kevin Mosesian
Corporate Stations Manager
Cocola Broadcasting Companies
Direct Line (559) 432-4309
Fax (559) 436-5200
www.cocolatv.com

From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Thursday, February 05, 2009 2:39 PM
To: jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net; lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; georgeh3@ksee.com; tom@fnam.tv; tvbob@kail.tv; richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; cbapowers@aol.com; cbaberry@aol.com; jamie.hartnett@gmail.com; Simmonds, Carlton; Kevin Mosesian
Subject: FCC Public Notice with procedures for new analog cutoff date

Ladies and gentlemen

3/4/2009

This document was just posted on FCC website.

Bottom line, if you want to transition on 2/17, you have to notify by Monday 2/9...and then run lots of crawls or PSAs during last two weeks...and maybe get told no... Otherwise... wait till at least March 14.

<<FCC-09-6A1.pdf>>

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Anderson Bennett

From: Anderson Bennett
Sent: Monday, February 09, 2009 2:38 PM
To: Kevin Mosesian
Cc: Shaun Maher; Evan Baranoff
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

I don't know ... Please contact these guys in Media Bureau with the detailed procedural questions.. Shaun Maher shaun.maher@fcc.gov or Evan Baranoff evan.baranoff@fcc.gov I copied them on this to give your inquiry a head start.

Anderson Bennett
DTV Coordinator DMA#55 Fresno Visalia

*** Non-Public: For Internal Use Only ***

From: Kevin Mosesian [mailto:kevin@cocolatv.com]
Sent: Monday, February 09, 2009 10:22 AM
To: Anderson Bennett
Subject: RE: FCC Public Notice with procedures for new analog cutoff date

Anderson,

In regards to the 100 Day countdown, should those still be running?
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Kevin Mosesian
Corporate Stations Manager
Cocola Broadcasting Companies
Direct Line (559) 432-4309
Fax (559) 436-5200
www.cocolatv.com

From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Thursday, February 05, 2009 2:39 PM
To: jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net;

3/4/2009

35

lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; georgeh3@ksee.com; tom@fmam.tv;
tvbob@kail.tv; richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; cbapowers@aol.com;
cbaberry@aol.com; jamie.hartnett@gmail.com; Simmonds, Carlton; Kevin Mosesian
Subject: FCC Public Notice with procedures for new analog cutoff date

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Bottom line, If you want to transition on 2/17, you have to notify by Monday 2/9...and then run lots of crawls or PSAs during last two weeks...and maybe get told no... Otherwise... wait till at least March 14.

<<FCC-09-6A1.pdf>>

Anderson Bennett
DTV Coordinator - DMA#55 Fresno-Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Anderson Bennett

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 8:35 AM
To: James Miller
Subject: RE: DMA Coordinators: What are your Stations Going to Do?
Attachments: DTV Fresno status 2-10-09.xls



DTV
tatus 2-10-

Here is latest on DMA#55... I pulled data directly from CDBS

*** Non-Public: For Internal Use Only *** -----Original Message-----
From: James Miller
Sent: Thursday, February 05, 2009 10:52 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Thanks everyone for pulling your stations info together! I tried to merge the most recent things received working back through the mail but may have introduced errors--let me know. This appears to be the snapshot as of Friday 2AM EST (10pm PST?).

If you are updating anything tomorrow as new info comes available, it's easier for me if you send your updates as a separate file. I didn't put any protections on the cells so it was easy to overwrite different people's sections.

James Miller
Attorney Advisor
FCC, OET, SPD RM 7A222
+1(202)418-7351

-----Original Message-----
From: James Miller
Sent: Thu 2009-02-05 18:20
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sherille pointed out Chairman Copps mentioned in the en banc that the affiliates (at least their owned and operated stations) may all be transitioning in blocks. Again our effort here is to give Roger and Maureen a heads up of what the word on the street is. We understand some stations have decided not to go on 2/17 after reading the public notice.

W/ current updates.. Let me know if I've munged anyone's entries.

From: James Miller
Sent: Thursday, February 05, 2009 4:48 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger asked me to send out mail and ask all DMA Coordinators to enter what you know by COB today. Many stations are coordinating regionally so we'll probably have a waterfall as stations confirm their plans--after digesting the public notice.

Please make sure you populate a section of the spreadsheet with Your name, DMA Name, DMA #, Station Call Sign/Affiliate, Elected Transition Date. If you have notes please try to put them to side in the last (sixth) column rather than putting them below (Makes it easier to cut and paste entries..).

Again, specifics are better but if you have a "gist" please enter what's available.

From: James Miller
Sent: Thursday, February 05, 2009 11:06 AM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

This is our snapshot as of 11am of Chico, Fresno, Bend, Medford, Portland, Las Vegas, Spokane, Salt Lake, Fairbanks and Juneau, and Bay Area. If you haven't chimed in feel free to send me mail with your DMA # and whatever info you have available. Also please feel free to update and correct the list with your DMA numbers, station info etc. Again nothing overly formal but everyone's grasping for a view of what the stations are thinking.

From: James Miller
Sent: Wednesday, February 04, 2009 7:00 PM
To: Michael C. Smith; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Thanks Mike.

I spoke to Roger (yes he does exist!!) and I think they will want this whenever available and at the whatever level of specificity we can offer.

If DMA coordinators send me info about their regions I'll enter it into the spreadsheet--feel free to update the excel and send it to me if you have the stations handy. Please update Mike's version if you do though. Another note if you have the date that stations have already transitioned please enter the specific date (if available). We can continue to update it so not a COB deadline I think.

From: Michael C. Smith
Sent: Wednesday, February 04, 2009 6:24 PM
To: James Miller; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Jim,

I think your spreadsheet is a good way to gain an overall picture of the transition on February 17th. I have added my DMA info and attached the spreadsheet. Let me know if you need anything else.

Michael C. Smith
DTV Coordinator for Bend, Medford, Klamath Falls, OR
Federal Communications Commission
445 12th Street SW, Washington, DC 20554
MichaelC.Smith@fcc.gov
(202) 418-0584 (office)
(202) 503-0900 (blackberry)

From: James Miller
Sent: Wednesday, February 04, 2009 5:31 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sorry the attachment didn't take..

From: James Miller
Sent: Wednesday, February 04, 2009 5:30 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going

to Do?

I wonder if we could fill in the Station Call Signs and Dates as they become available. I'm happy to enter them if DMA coordinators want to email me directly. I'm guessing this might be helpful for Maureen and Roger to have COB.

From: James Miller
Sent: Wednesday, February 04, 2009 5:04 PM
To: Jennifer Flynn; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going

to Do?

Can we start adding station names and status?

Las Vegas, xxxx TBD

Chico-Redding, KRCR (TBD)

{CBS}, (2/17), {FOX} (2/17)

[James Miller] Fresno-Visalia, {ABC} (2/17), {NBC} (2/17),

[James Miller]

From: Jennifer Flynn

Sent: Wednesday, February 04, 2009 4:56 PM
To: James Miller; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going

to Do?

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Jennifer A. Flynn
DMA Coordinator, Las Vegas
Federal Communications Commission
Mobile 202.503.0774
Office 202.418.0612
Jennifer.Flynn@fcc.gov

From: James Miller
Sent: Wednesday, February 04, 2009 4:54 PM
To: DTV-Pacific
Subject: DMA Coordinators: What are your Stations Going to

Do?

Maureen and Roger had discussed sending out an email to DMA coordinators to prepare a list of what stations: intend to delay until the new date; intend to still go on 2/17; and which have already transitioned. I hadn't seen an email to that effect but was curious what other DMA Coordinators markets were looking like. Does everyone have this info available? I'm waiting for station that is waiting for word from their Corporate office.

The vote was 264 to 158

<<http://www.broadcastingcable.com/common/jumplink.php?target=http%3A%2F%2Fclerk.house.gov%2Fevs%2F2009%2Froll052.xml>> , with more Republicans voting for the delay (23) than there were Democrats (10) going against the Obama administration and party leadership to vote against it.

...

Some stations have already indicated they are sticking with the Feb. 17 date. The FCC said it had heard from 276 stations to that effect, in addition to 143 stations that had already pulled the plug, and another 60 who said they planned to do so before Feb. 17. The FCC had pointed out that some of those 276 may change their minds once the date changes.

http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

--

James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

Network	CALLSIGN	analog plans as of 2/5/09
ABC	KFSN	stay analog until at least 3/14/09
PBS	KVPT	notified Commission will switch on 2/17
CW	KFRE-TV	stay analog until at least 3/14/09
FOX	KMPH-TV	stay analog until at least 3/14/09
Univision	KFTV	stay analog until at least 3/14/09
TeleFutura	KTFF-TV	stay analog until at least 3/14/09
	KGMC	stay analog until at least 3/14/09
CBS	KGPE	stay analog until at least 3/14/09
Diocese	KNXT	stay analog until at least 3/14/09
NBC	KSEE	notified Commission will switch on 2/17
MyTV	KAIL	will stay analog as long as possible
Telemundo	KNSO	stay analog until at least 3/14/09 physical TX swap required

Anderson Bennett

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 8:56 AM
To: 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net';
'mlgutierrez@univision.net'; 'lindadanna@CBSFresno.com';
'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fmam.tv'; 'tvbob@kail.tv';
'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; 'cbapowers@aol.com';
'cbaberry@aol.com'; 'jamie.hartnett@gmail.com'; 'Simmonds, Carlton'; 'Kevin Mosesian'
Subject: DMA#55 Digital TV Status as of 2/10/09
Attachments: DTV Fresno status 2-10-09.xls

Ladies and Gentlemen

I checked the Commission's electronic filing system this morning. According to my survey... The attached little spreadsheet represents the status and plans of the 12 full power DMA#55 (Fresno-Visalia) TV stations. If I have gotten something wrong, please let me know...



DTV
tatus 2-10-

Anderson Bennett
Federal Communications Commission
DTV Coordinator - DMA#55 Fresno Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Network	CALLSIGN	analog plans as of 2/5/09
ABC	KFSN	stay analog until at least 3/14/09
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Telemundo	KNSO	stay analog until at least 3/14/09 physical TX swap required

Anderson Bennett

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 9:56 AM
To: Anderson Bennett; 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net'; 'mlgutierrez@univision.net'; 'lindadanna@CBSFresno.com'; 'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fmam.tv'; 'tvbob@kail.tv'; 'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; 'cbapowers@aol.com'; 'cbaberry@aol.com'; 'jamie.hartnett@gmail.com'; 'Simmonds, Carlton'; 'Kevin Mosesian'
Subject: RE: DMA#55 Digital TV Status as of 2/10/09
Attachments: DTV Fresno status 2-10-09 rev 1.xls

Ladies and Gentlemen

There is an error in the first status report. On 2/9/09 KSEE did not file a request to terminate digital service on 2/17/09.

Here is revised report



DTV
tatus 2-10-

*** Non-Public: For Internal Use Only ***

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 8:56 AM
To: 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net'; 'mlgutierrez@univision.net'; 'lindadanna@CBSFresno.com'; 'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fmam.tv'; 'tvbob@kail.tv'; 'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; 'cbapowers@aol.com'; 'cbaberry@aol.com'; 'jamie.hartnett@gmail.com'; 'Simmonds, Carlton'; 'Kevin Mosesian'
Subject: DMA#55 Digital TV Status as of 2/10/09

Ladies and Gentlemen

I checked the Commission's electronic filing system this morning. According to my survey... The attached little spreadsheet represents the status and plans of the 12 full power DMA#55 (Fresno-Visalia) TV stations. If I have gotten something wrong, please let me know...

<< File: DTV Fresno status 2-10-09.xls >>

Anderson Bennett
Federal Communications Commission
DTV Coordinator - DMA#55 Fresno Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Network	CALLSIGN	analog plans as of 2/5/09
ABC	KFSN	stay analog until at least 3/14/09
PBS	KVPT	notified Commission will switch on 2/17
CW	KFRE-TV	stay analog until at least 3/14/09
FOX	KMPH-TV	stay analog until at least 3/14/09
Univision	KFTV	stay analog until at least 3/14/09
TeleFutura	KTFF-TV	stay analog until at least 3/14/09
	KGMC	stay analog until at least 3/14/09
CBS	KGPE	stay analog until at least 3/14/09
Diocese	KNXT	stay analog until at least 3/14/09
NBC	KSEE	stay analog until at least 3/14/09
MyTV	KAIL	will stay analog as long as possible
Telemundo	KNSO	stay analog until at least 3/14/09 physical TX swap required

Anderson Bennett

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 10:13 AM
To: Simmonds, Carlton
Subject: RE: DMA#55 Digital TV Status as of 2/10/09

Will wait till the end... OK .. thank you sir...

*** Non-Public: For Internal Use Only ***

From: Simmonds, Carlton [mailto:CSimmonds@kmpH.com]
Sent: Tuesday, February 10, 2009 9:54 AM
To: Anderson Bennett
Subject: RE: DMA#55 Digital TV Status as of 2/10/09

Hi Anderson,
KMPH TV and KFRE TV will not now be turning off our analog unit the 12th of June 2009.

From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Tuesday, February 10, 2009 8:56 AM
To: jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net; lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; georgeh3@ksee.com; tom@fmam.tv; tvbob@kail.tv; richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; [REDACTED]
[REDACTED] Simmonds, Carlton; Kevin Mosesian
Subject: DMA#55 Digital TV Status as of 2/10/09

Ladies and Gentlemen

I checked the Commission's electronic filing system this morning. According to my survey... The attached little spreadsheet represents the status and plans of the 12 full power DMA#55 (Fresno-Visalia) TV stations. If I have gotten something wrong, please let me know...

<<DTV Fresno status 2-10-09.xls>>

Anderson Bennett
Federal Communications Commission
DTV Coordinator - DMA#55 Fresno Visalia
562-865-2258

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3/4/2009

47

Anderson.Bennett@fcc.gov. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this communication or its attachments is strictly prohibited. Any views or opinions presented in this email are solely those of the author and might not represent those of Pappas Telecasting Companies or its affiliated entities (collectively, PTC). If you have received this communication in error, please notify the sender immediately by replying to this communication and please delete it from your computer. Warning: Although the message sender has taken reasonable precautions to ensure no viruses are present in this email, PTC cannot accept responsibility for any loss or damage arising from the use of this email or attachments.

Anderson Bennett

From: Anderson Bennett
Sent: Tuesday, February 10, 2009 10:41 AM
To: George Hillis
Subject: RE: DMA#55 Digital TV Status as of 2/10/09

Thanks George.. I'll update data for survey here...

*** Non-Public: For Internal Use Only ***

From: George Hillis [mailto:georgeh3@ksee.com]
Sent: Tuesday, February 10, 2009 10:31 AM
To: Anderson Bennett
Cc: Todd McWilliams; John Lockhart
Subject: RE: DMA#55 Digital TV Status as of 2/10/09

Anderson:
We will not turn off our analog until June 12, 2009.

Thanx and stay tuned!

George Hillis
Operations/Program Mgr
559.454.2435



From: Anderson Bennett [mailto:Anderson.Bennett@fcc.gov]
Sent: Tuesday, February 10, 2009 9:56 AM
To: Anderson Bennett; jeff.l.jordan@abc.com; pcastadio@KVPT.org; kholden@univision.net; mlgutierrez@univision.net; lindadanna@CBSFresno.com; cdougherty@dioceseoffresno.org; George Hillis; tom@fmam.tv; tvbob@kail.tv; richardl.bennett@nbcuni.com; garytemple@cbsfresno.com; cbapowers@aol.com; cbaberry@aol.com; jamie.hartnett@gmail.com; Simmonds, Carlton; Kevin Mosesian
Subject: RE: DMA#55 Digital TV Status as of 2/10/09

Ladies and Gentlemen

3/4/2009

49

There is an error in the first status report. On 2/9/09 KSEE did not file a request to terminate digital service on 2/17/09.

Here is revised report

<<DTV Fresno status 2-10-09 rev 1.xls>>

*** Non-Public: For Internal Use Only ***

From: Anderson Bennett

Sent: Tuesday, February 10, 2009 8:56 AM

To: 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net'; 'm1gutierrez@univision.net'; 'lindadanna@CBSFresno.com'; 'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fmam.tv'; 'tvbob@kail.tv'; 'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; 'cbapowers@aol.com'; 'cbaberry@aol.com'; 'jamie.hartnett@gmail.com'; 'Simmonds, Carlton'; 'Kevin Moseslan'

Subject: DMA#55 Digital TV Status as of 2/10/09

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<< File: DTV Fresno status 2-10-09.xls >>

Anderson Bennett
Federal Communications Commission
DTV Coordinator - DMA#55 Fresno Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

3/4/2009

50

Anderson Bennett

From: Anderson Bennett
Sent: Thursday, February 12, 2009 11:01 AM
To: Nader Haghghat; Paul Oei; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

They want us to travel and arrive on Sunday, or already be there.. ?

Saturday is Valentine's Day -- Is Big Deal

Same question for the following Wednesday.. Travel home on Wednesday or Thursday?

*** Non-Public: For Internal Use Only ***

From: Nader Haghghat
Sent: Thursday, February 12, 2009 10:56 AM
To: Paul Oei; Anderson Bennett; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

Correction: Sunday 2/15 not Friday 2/15.

From: Nader Haghghat
Sent: Thursday, February 12, 2009 1:48 PM
To: Paul Oei; Anderson Bennett; Eddie Catron; Jeff Garretson
Subject: FW: Travel plans for next week

Hi All,

Last night I shared with you the possibility of last-minute change of plan. Today, I received the following request from Sherille (DTV Pacific Region coordinator) asking for your presence on **Friday 2/15/09** in the DMA's that are transitioning on 2/17. Please arrange your travel accordingly.

If you have any question or concern, please let me know.

Thanks,
Nader

P.S.: Highlights are mine.

-----Original Message-----

From: Sherille Ismail
Sent: Thursday, February 12, 2009 12:41 PM
To: Nader Haghghat
Subject: Travel plans for next week

Nader:

Good talking to you. This is confirming that we would like to assign LA field office staff to the following locations

3/4/2009

51

for next week. They should be prepared to be on location from Sunday to Wednesday. I will follow up with more details on what they will be expected to do next week. In the meantime, make sure they make travel arrangements ASAP. They should also read through the PN released last night, especially the conditions on page 4.

- Paul Oei (Bakersfield)
- Jeff Garreston (Santa Barbara)
- Anderson Bennett (Rock Springs, WY, in the Salt lake City DMA)
- Eddie Catron (Bend, Oregon)

Feel free to call or email me with any questions.

Thank you!

Sherille Ismail
Senior Counsel
Office of Strategic Planning and Policy Analysis Federal Communications Commission
(202) 418-0429
sherille.ismail@fcc.gov

Anderson Bennett

From: Anderson Bennett
Sent: Thursday, February 12, 2009 11:10 AM
To: Paul Oei; Nader Haghighat; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

Too late to modify travel plans by then... Looks like a go and stand-by exercise...

*** Non-Public: For Internal Use Only ***

From: Paul Oei
Sent: Thursday, February 12, 2009 11:05 AM
To: Anderson Bennett; Nader Haghighat; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

Looks like these DMAs are high priority because all the stations are planning to go off on the 17th. However, the PN, FCC 09-7, requires stations to notify the Commission by 6 pm (EST) this Friday, certifying that they meet the new requirements for going off on the 17th. If the stations change their mind and don't go off on the 17th, is the area still a priority? We might get new instructions over the weekend.

*** Non-Public: For Internal Use Only ***

From: Anderson Bennett
Sent: Thursday, February 12, 2009 11:01 AM
To: Nader Haghighat; Paul Oei; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

They want us to travel and arrive on Sunday, or already be there.. ?

Saturday is Valentine's Day -- Is Big Deal

Same question for the following Wednesday.. Travel home on Wednesday or Thursday?

*** Non-Public: For Internal Use Only ***

From: Nader Haghighat
Sent: Thursday, February 12, 2009 10:56 AM

3/4/2009

53

To: Paul Oei; Anderson Bennett; Eddie Catron; Jeff Garretson
Subject: RE: Travel plans for next week - Correction

Correction: Sunday 2/15 not Friday 2/15.

From: Nader Haghghat
Sent: Thursday, February 12, 2009 1:48 PM
To: Paul Oei; Anderson Bennett; Eddie Catron; Jeff Garretson
Subject: FW: Travel plans for next week

Hi All,

Last night I shared with you the possibility of last-minute change of plan. Today, I received the following request from Sherille (DTV Pacific Region coordinator) asking for your presence on Friday 2/15/09 in the DMA's that are transitioning on 2/17. Please arrange your travel accordingly.

If you have any question or concern, please let me know.

Thanks,
Nader

P.S.: Highlights are mine.

-----Original Message-----

From: Sherille Ismail
Sent: Thursday, February 12, 2009 12:41 PM
To: Nader Haghghat
Subject: Travel plans for next week

Nader:

Good talking to you. This is confirming that we would like to assign LA field office staff to the following locations for next week. They should be prepared to be on location from Sunday to Wednesday. I will follow up with more details on what they will be expected to do next week. In the meantime, make sure they make travel arrangements ASAP. They should also read through the PN released last night, especially the conditions on page 4.

- Paul Oei (Bakersfield)
- Jeff Garreston (Santa Barbara)
- Anderson Bennett (Rock Springs, WY, in the Salt lake City DMA)
- Eddie Catron (Bend, Oregon)

Feel free to call or email me with any questions.

Thank you!

Sherille Ismail
Senior Counsel
Office of Strategic Planning and Policy Analysis Federal Communications Commission
(202) 418-0429
sherille.ismail@fcc.gov

3/4/2009

54

- 1) Would your station prefer to terminate analog broadcasting at midnight on 2/17/09, even if Congress authorizes a later date?
- 2) Would your station prefer to terminate analog broadcasting on some date after 2/17/09, if at least half of the other full power stations in the market agree to the same date?
- 3) Would your station prefer to terminate analog broadcasting on a date after 2/17/09, without regard to the actions of the other stations in the market, even up to the new deadline?

Again I want to emphasize. I won't share specific responses with HQ. Just the general results in percentages... If you are concerned about reporting this information to a government email address, feel free to respond to my personal address.

anderson.bennett @ gmail.com

Thanks

Anderson Bennett
Federal Communications Commission
Enforcement Bureau - Los Angeles Office
DTV Coordinator for DMA 55, Fresno, Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

3/4/2009

9

Anderson Bennett

From: Anderson Bennett
Sent: Friday, January 16, 2009 9:46 AM
To: Roger Goldblatt; Maureen McLaughlin
Cc: Nader Haghghat; Margaret Egler; Eddie Catron; Jeff Garretson; Paul Oei; Gloria Reyes; Patti Shibukawa
Subject: FW: Converter Box Contractors

Roger... This just in from a TV station general manager in my DMA. Will there be hook-up contractors in all DMAs or is Hawaii special?

*** Non-Public: For Internal Use Only ***

From: George Hillis [mailto:georgeh3@ksee.com]
Sent: Thursday, January 15, 2009 10:13 AM
To: Anderson Bennett
Subject: FW: Converter Box Contractors

Anderson:

This article below speaks of Converter box Contractors who are paid \$20 per box by FED GOV. to set-up viewer's boxes. Who are they in Fresno? Can we become a contractor?

Thanx and stay tuned!

George Hillis
Operations/Program Mgr
559.454.2435



CENTRAL VALLEY'S NEWS STATION



Hawaii Says Aloha to Analog Today

Associated Press, Jan 15 2009, 6:23 AM ET

HONOLULU (AP) — With the nation's Feb. 17 shutdown of analog TV signals in doubt, federal regulators will be closely watching what happens Thursday in Hawaii, when the state makes the move early because of an endangered bird.

As Hawaii scrambles to become the first state to turn off analog broadcasts and go all digital, hundreds of people have been calling support lines for help and zipping digital converter boxes off store shelves.

3/4/2009

2

Teams of volunteers and contractors are making house calls to residents who were struggling to hook up the black converter box, which rests atop a TV like a small VCR. The boxes sell for \$50 to \$70.

"If I had to do this myself, I would probably get so frustrated and break something," said Arlene Sato, a florist who sought installation assistance in her home in the Waikiki area. "I can do the creative stuff, but don't ask me to do anything mechanical."

After installer Earl Mostoles, who is paid about \$20 per box by the federal government, spent five minutes setting up a converter and 10 minutes scanning for channels, Sato was picking up digital broadcasts on two out of the four major networks and several more obscure channels.

By Thursday at noon, all stations should be transmitting their digital signals at full power, and analog TV towers will be airing infomercials about the transition instead of regular programming.

Government officials and broadcasters estimate about 20,000 households in Hawaii still get their TV signals over the air, meaning they'd have to buy new TVs with digital tuners or digital converter boxes for their old TVs. Or they could switch to cable or satellite service.

"We're desperately asking people to set up their converter boxes early so they don't all call us Thursday," said Mike Rosenberg, president and general manager of KITV, Honolulu's ABC affiliate. "Hopefully, we will not be inundated with calls, but we're prepared."

The analog TV shutdown, mandated by Congress to free up space in the airwaves for other services, has gotten early runs in Wilmington N.C., and small towns in Northern California, with some reports of people having problems receiving the digital signals. Hawaii's change is happening now so analog transmission towers can be taken down before the nesting season of the dark-rumped petrel, a volcano-dwelling endangered bird.

The rest of the nation is scheduled to go digital Feb. 17, but the federal government has run out of money for \$40 coupons to subsidize converter boxes. President-elect Barack Obama's transition team has asked Congress to delay the shut-off, though the Federal Communications Commission chairman has said postponing could confuse consumers.

Lawmakers are divided on whether to push back the transition date, although there is bipartisan agreement that something needs to be done to ensure that everyone is ready in time. Senate Commerce Committee Chairman John D. Rockefeller, D-W.Va., is working on a bill to approve more funding for coupons and postpone the transition from anywhere from 90 days to as late as June.

As many as 8 million U.S. households rely on analog TV sets to pick up over-the-air channels.

"We're just going to hold our breaths and see what happens Thursday," said Lyle Ishida, the FCC's Hawaii digital TV project manager.

About half of the 800 phone calls last week to a statewide customer support call center operated by the FCC and broadcasters sought technical help. Many of the rest were from people asking what they needed to do to prepare or whether they would lose service.

More than 53,000 Hawaii residents have requested converter box coupons, 16,000 of which had been redeemed as of Sunday, Ishida said. Because Hawaii TV viewers knew the digital conversion would occur in January, they requested their coupons sooner — before government money for the program ran out, Ishida said. Those who only applied for coupons this month are out of luck.

Even those who have converter boxes might see some channels go dark. While digital delivers a crisper picture than analog, with its shadows, fuzz and static, digital signals usually either come in fine or don't come in at all. That means people with poor analog reception likely will need to add more powerful indoor or outdoor antennas to get the digital broadcasts.

People living in the islands' many green valleys and rural areas figure to be among the most affected. They can turn to help from installers like Mostoles, but most of Hawaii's "microcontractors" for digital box installations come from six community groups, including soccer clubs and a Baptist organization, and each group is limited to earning \$3,000.

Bruce Bottorff, spokesman for AARP's Hawaii chapter, was worried especially about elderly residents who are more likely to be using analog TVs and less likely to be familiar with new technology.

"There is a broad concern too," Bottorff said, "that some older consumers might be vulnerable to sales pitches for new and expensive TV sets rather than for cheaper converter boxes."

At a Honolulu Best Buy store, customers have been snatching up the converter boxes. One brand that sold for \$50 was sold out Tuesday, but about five dozen \$60 boxes remained on the shelf.

"I can see how my parents and grandparents would be frustrated with it," said Ryan Himeda, a supervisor at the store, which also offers \$100 home installation. "We try to steer customers on the right path."

Anderson Bennett

From: Anderson Bennett
Sent: Friday, January 16, 2009 10:10 AM
To: Maureen McLaughlin; Roger Goldblatt
Cc: Margaret Egler; Nader Haghighat
Subject: RE: TRAVEL REQUEST DTV for February

Attachments: AB DTV Travel request template 2.doc



AB DTV
request tem

Maureen..

The December & January trips were approved by Gonzales, and taken. The February 2-6 trip approval never appeared on any list that I saw. Doesn't matter now, because I would like to revise the February dates so I can be in the DMA for the 2/17 date, and perhaps some time afterwards. To that end, here is new template. I am requesting the full three week period of 2/9 - 2/27 just to cover all the possibilities. It will probably be just one trip of 5 days or so. I am now thinking that the time right after the transition, when people are complaining of no reception, is at least as important than the time just before.... . A lot depends on what happens to the 2/17/09 date.

Regards

Anderson Bennett

*** Non-Public: For Internal Use Only *** -----Original Message-----

From: Maureen McLaughlin
Sent: Friday, January 16, 2009 8:46 AM
To: Anderson Bennett
Subject: Re: TRAVEL REQUEST DTV for February

12/14?? That should have been approved awhile ago - you aren't supposed to travel w/o the authorization

----- Original Message -----

From: Anderson Bennett
To: Maureen McLaughlin
Sent: Fri Jan 16 11:46:36 2009
Subject: FW: TRAVEL REQUEST DTV for February

Maureen... Did this get approved? I didn't see it in latest listing...

*** Non-Public: For Internal Use Only ***

From: Anderson Bennett
Sent: Thursday, January 08, 2009 2:07 PM
To: Roger Goldblatt; Maureen McLaughlin; Donice Jones
Cc: Margaret Egler; Nader Haghighat
Subject: TRAVEL REQUEST DTV for February
Importance: High

<<AB DTV Travel request template 1.doc>>

*** Non-Public: For Internal Use Only ***

Anderson Bennett

From: Anderson Bennett
Sent: Monday, January 26, 2009 1:27 PM
To: 'jeff.l.jordan@abc.com'; 'pcastadio@KVPT.org'; 'kholden@univision.net';
'mlgutierrez@univision.net'; 'lindadanna@CBSFresno.com';
'cdougherty@dioceseoffresno.org'; 'georgeh3@ksee.com'; 'tom@fmam.tv'; 'tvbob@kail.tv';
'richardl.bennett@nbcuni.com'; 'garytemple@cbsfresno.com'; [REDACTED];
[REDACTED] 'Simmonds, Carlton'; 'Kevin Mosesian'
Subject: February 17 - To switch..or not to switch

Ladies and Gentlemen

As you know the Congress is very close to passing legislation that would authorize a delay of the planned DTV cutover until June 17th.... In speaking with several of you, my impression has been that this would **not** be welcome, and that the February 17th date is just fine for you to terminate analog broadcasting. I have now been asked to take an informal straw poll, the general results of which I would share with Washington. Since this is an informal straw poll, I would not name names of specific stations in my report back to HQ, and anything you report at this point is certainly not binding....

That being said.. I would appreciate it if you could respond to these questions.

- 1) Would your station prefer to terminate analog broadcasting at midnight on 2/17/09, even if Congress authorizes a later date?
- 2) Would your station prefer to terminate analog broadcasting on some date after 2/17/09, if at least half of the other full power stations in the market agree to the same date?
- 3) Would your station prefer to terminate analog broadcasting on a date after 2/17/09, without regard to the actions of the other stations in the market, even up to the new deadline?

Again I want to emphasize. I won't share specific responses with HQ. Just the general results in percentages... If you are concerned about reporting this information to a government email address, feel free to respond to my personal address.

anderson.bennett @ gmail.com

Thanks

Anderson Bennett
Federal Communications Commission
Enforcement Bureau - Los Angeles Office
DTV Coordinator for DMA 55, Fresno, Visalia
562-865-2258

*** Non-Public: For Internal Use Only ***

Arthur Scrutchins

From: Nandan Joshi
Sent: Friday, January 09, 2009 4:50 PM
To: James Carr
Subject: RE: If it's not too early...

Until Jan. 31. Before all the talk of extending the deadline, I assumed that they would have let me stay until Feb. 17. Now, I don't know.

-----Original Message-----

From: James Carr
Sent: Fri 1/9/2009 4:49 PM
To: Nandan Joshi
Subject: RE: If it's not too early...

How long does your current assignment run?

-----Original Message-----

From: Nandan Joshi
Sent: Friday, January 09, 2009 4:46 PM
To: James Carr
Subject: RE: If it's not too early...

I have no idea. I guess it depends on how long they extend it, and what the next Chairman wants to do. If my stay does get extended, I'll probably come back to DC for a couple of days to check on my house.

-----Original Message-----

From: James Carr
Sent: Fri 1/9/2009 4:44 PM
To: Nandan Joshi
Subject: RE: If it's not too early...

Thanks. It's being copied now, so I guess it's not too early.

If the DTV date gets extended, will you get a longer tour of duty in Maine?

-----Original Message-----

From: Nandan Joshi
Sent: Friday, January 09, 2009 4:41 PM
To: James Carr
Subject: If it's not too early...

congrats on getting your brief filed.

Arthur Scrutchins

From: Nandan Joshi
Sent: Friday, January 09, 2009 4:46 PM
To: James Carr
Subject: RE: If it's not too early...

I have no idea. I guess it depends on how long they extend it, and what the next Chairman wants to do. If my stay does get extended, I'll probably come back to DC for a couple of days to check on my house.

-----Original Message-----

From: James Carr
Sent: Fri 1/9/2009 4:44 PM
To: Nandan Joshi
Subject: RE: If it's not too early...

Thanks. It's being copied now, so I guess it's not too early.

If the DTV date gets extended, will you get a longer tour of duty in Maine?

-----Original Message-----

From: Nandan Joshi
Sent: Friday, January 09, 2009 4:41 PM
To: James Carr
Subject: If it's not too early...

congrats on getting your brief filed.

Sherille Ismail

From: Jared Cornfeld
Sent: Wednesday, January 28, 2009 4:25 PM
To: OSP DL
Subject: House Bill to Delay Digital TV Switch falls short of 2/3 by about 22 votes.

January 28, 2009, 2:12 pm
NYTimes

House Defeats Bill to Delay Digital TV Switch

By Brian Stelter

Two days after the Senate unanimously approved a four-month delay of the digital television transition, the House of Representatives did not pass the same proposal on Wednesday, "leaving the current Feb. 17 deadline intact for now," the Associated Press reports.

"The 258-168 vote failed to clear the two-thirds threshold needed for passage in a victory for GOP members," according to the AP.

The legislation's failure means that the nation's television stations will have to switch from analog to digital broadcasting by Feb. 17, unless Congress takes other steps to delay the transition.

House Democrats may bring the bill up for a regular floor vote next week. That vote would only require majority support to pass. "Wednesday's vote took place under a special procedure that required two-thirds support for passage," the AP reported.

Earlier this month, calling the government funds to support the switch "woefully inadequate," the Obama administration called on Congress to delay the Feb. 17 date. The switch requires consumers without a digital-ready TV who rely on over-the-air signals to install converter boxes for their TV sets. The Nielsen Co. estimates that more than six million households are still unready for the switch.

Some lawmakers have argued that a delay would only exacerbate the confusion about the transition. And local stations have noted that they have already budgeted funds for next month's switch. Keeping their analog signals on the air for four more months would require more money for power and maintenance costs.

"In my opinion, we could do nothing worse than to delay this transition date," said Joe Barton of Texas, the top Republican on the House Commerce Committee. "The bill is a solution looking for a problem that exists mostly in the mind of the Obama administration."

In a statement Tuesday, the Senate Commerce Committee chairman, John D. Rockefeller IV, said he was deeply disappointed by the Republicans' move to block the transition.

"Instead of delaying the transition to ensure that the most vulnerable among us have the ability to prepare for the transition, they have made certain that far too many consumers across the country will wake up on February the 18th and find that their television sets have gone dark and access to news, information, and vital emergency alerts will be unavailable," he said. "It did not have to be this way — this situation was unnecessary and avoidable."

*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Jared Cornfeld
Sent: Wednesday, January 28, 2009 1:37 PM
To: OSP DL
Subject: House Fails to Pass DTV Delay Bill

CORRECTED: House Fails to Pass DTV Delay Bill

By REUTERS
Published: January 28, 2009

Filed at 1:11 p.m. ET

Skip to next paragraph Reuters

(Corrects to make clear the bill did not pass) WASHINGTON (Reuters) - The House of Representatives on Wednesday failed to pass a bill to delay the nationwide switch to digital television signals by about four months.

The bill needed two-thirds of the votes of the House under special rules adopted for the vote.

Efforts to delay the transition date to June 12 from February 17 has been fueled by worries that 20 million mostly poor, elderly and rural households are not ready for the congressionally mandated switch.

President Barack Obama supports a delay, and the Senate passed the bill seeking a delay earlier this week.

(Editing by John Wallace)

*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Jennifer Prime
Sent: Wednesday, January 28, 2009 1:31 PM
To: Alesia Johnson; Alexander Chan; Allan Gatbonton; Anderson Bennett; Barbara Britt; Bill Zears; Binh Nguyen; Christina Wentz; David Charlton; David Hartshorn; Deanne Erwin; Deborah Chen; Donice Jones; Eddie Catron; Emmanuel Domkam; Glenn Phillips; Gloria Reyes; Hiep Le; James Miller; Jeff Garretson; Jennifer Flynn; Jennifer Prime; Jim Lyon; Karen Beverly; Kris McGowan; Louie Armada; Margaret Egler; Mark Wigfield; Marlene Windel; Matthew Warner; Maureen McLaughlin; Michael C. Smith; Nader Haghghat; Nathan Vold; Nina Shafran; Paul Oei; Rannie Seah; Rebecca Dorch; Rhonda Hill; Roger Goldblatt; Ruby Hsiu; Sherille Ismail; Sue McNeil; Susan German; Terrance Judge; Thomas VanStavern; Tiffany Jamison
Subject: Breaking News: DTV-Delay Bill Fails To Pass In House



BREAKING NEWS



Wednesday, January 28, 2009



DTV-Delay Bill Fails To Pass In House

The House Wednesday failed to follow the Senate's lead and pass a DTV date-change bill, putting the move of the DTV transition date in doubt after all the momentum seemed to be moving toward the four-month delay to June 12.
[For More...](#)

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Editorial
 Joel Topcik
 E-mail: joel.topcik@reedbusiness.com
 Phone: 1-646-746-6882

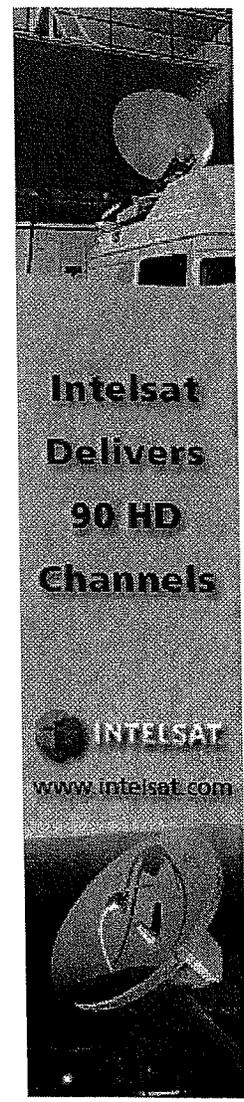
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Sherille Ismail

From: Jared Cornfeld
Sent: Friday, January 23, 2009 12:33 PM
To: OSP DL
Subject: FW: DTV update: DTV-delay appears more likely
Importance: High
Attachments: DTV 012309.pdf

*** Non-Public: For Internal Use Only ***

From: Anna-Maria Kovacs [mailto:amkovacs@regulatorysourcenes.com]
Sent: Friday, January 23, 2009 11:56 AM
To: amkovacs@regulatorysourcenes.com
Subject: DTV update: DTV-delay appears more likely
Importance: High

TELECOM REGULATORY NOTE

DTV update: DTV-delay appears more likely

- **Senators Rockefeller and Hutchinson, the Chairman and Ranking Member of the Senate Committee on Commerce, Science and Transportation, have announced a compromise that is likely to delay the DTV transition to June 12th. With this compromise, it now seems very likely that the delay will occur.**

What this means to investors:

The DTV transition is likely to be delayed till June 12th, but unlikely to be delayed further. With additional converter-box funding out of the stimulus bill, and four extra months for a concerted consumer-education campaign, chances for a smooth transition are improved.

This will create delay for wireless carriers that expected to occupy that spectrum, but not an intolerable delay.

Discussion:

- **Senators Rockefeller and Hutchinson will jointly introduce a bill that will:**
 - **Delay the transition date to June 12th.**
 - **Allow over-the-air stations that are ready sooner to make the switch to do so.**

- Allow public safety to use vacated spectrum, where a station chooses to vacate before June 12th.
 - Allow consumers with expired coupons to apply for replacements.
 - Give the FCC auction authority to pay for delay costs.
- Delaying the transition has the support of the Administration, which should help it get the support of most or all Democrats.
 - While there is considerable opposition from Republicans to delaying the transition, Senator Hutchinson's support should help get it garner enough Republican support to get through the Senate, which is usually the most likely hurdle.
 - Separately, the House stimulus bill would allocate an additional \$650 million to the DTV transition, by funding more converter-box coupons, and consumer outreach and education.

Please see the attached note for the full discussion and for our required disclosures.

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Anna-Maria Kovacs
President
Regulatory Source Associates, LLC
1770 Massachusetts Avenue #305
Cambridge MA 02140
akovacs@regulatorysource.com
617-661-4666

Sherille Ismail

From: Jared Cornfeld
Sent: Friday, January 16, 2009 8:56 AM
To: OSP DL; Monica Desai; Jessica Przybyla
Subject: FW: DTV update: Senator Rockefeller files DTV-delay bill
Importance: High
Attachments: DTV 011609.pdf

*** Non-Public: For Internal Use Only ***

From: Anna-Maria Kovacs [mailto:amkovacs@regulatorysourcenes.com]
Sent: Friday, January 16, 2009 7:01 AM
To: amkovacs@regulatorysourcenes.com
Subject: DTV update: Senator Rockefeller files DTV-delay bill
Importance: High

TELECOM REGULATORY NOTE

DTV update: Senator Rockefeller files DTV-delay bill

- **President-elect Obama's transition team has indicated that it would like Congress to vote to delay the DTV transition, which is currently scheduled by law to occur on February 17th. Many, but not all, Democrats in Congress support delay.**
- **Some broadcasters have indicated that delay would be costly for them. Some--but not all--wireless companies oppose delay, because they would like to occupy the spectrum they bought and need broadcasters to vacate it.**
- **Senator Rockefeller, Chairman of the Senate Committee on Commerce, Science and Transportation, has filed a bill that would delay the DTV transition to June 12th.**
- **Separately, the House stimulus bill would allocate an additional \$650 million to the DTV transition, by funding more converter-box coupons, and consumer outreach and education.**
- **There is considerable opposition from Republicans to delaying the transition, and it is not clear at this point whether the delay can be voted by in time. Particularly in the Senate, it is fairly easy to hold up a bill.**
- **At this point it seems almost certain that there will be considerable additional funding for the DTV transition, but whether the transition will be delayed is less clear.**

3/3/2009



Please see the attached note for the full discussion and for our required disclosures.

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Sherille Ismail

From: Jared Cornfeld
Sent: Wednesday, January 14, 2009 1:31 PM
Subject: DTV - Interesting article

<http://arstechnica.com/news.ars/post/20090114-4g-war-conflict-of-interests-loom-behind-possible-dtv-delay.html>

4G war, conflicts of interest loom behind possible DTV delay

By [Julian Sanchez](#) | Published: January 14, 2009 - 05:45AM CT

Last week, President-elect Barack Obama's call for a delay in the Digital TV transition, long scheduled for February, sent tech and telecom firms into a tizzy. Both Verizon and the Consumer Electronics Association have been pushing back hard against any postponement of the move from analog to digital broadcasting, while AT&T has joined the Consumers Union and several prominent Democratic legislators in supporting the call to give the troubled transition more time. Among those with a vested interest in the debate over a DTV delay is Clearwire, which has been racing to deploy its 4G WiMAX networks ahead of competitors wedded to the LTE standard. And Ars has learned that Clearwire Executive Vice President R. Gerard Salemme has been playing a key advisory role on the DTV changeover within the Obama transition team.

The main rationale advanced for pushing back the drop-dead date for analog broadcast is that the coupon program established to subsidize digital converter boxes for those who rely on over-the-air analog signals has run out of money. Households seeking the \$40 vouchers are now being placed on a burgeoning waiting list, and consumer advocates fear that without a delay, millions of older analog sets will go dark in February. Opponents of a delay have argued that changing the date would be "disruptive," upsetting longstanding plans and signaling that companies and consumers need not heed government deadlines.

A wireless battleground: LTE vs. WiMAX

But the transition will also free up huge swaths of spectrum in the 700MHz band currently in use by analog broadcasters, which the Federal Communications Commission auctioned off last year. As FCC commissioner Robert McDowell noted on a panel at the Consumer Electronics Show in Las Vegas this weekend, "there are companies paying hundreds of billion of dollars to use this spectrum, and they expect the goods to be delivered."

One of those companies is Verizon, which ponied up nearly \$9.4 billion for spectrum it plans to use for its 4G Long-Term Evolution wireless broadband network. In a letter to top members of the House and Senate commerce committees Monday, Verizon CEO Ivan Seidenberg urged members of Congress to resist any delay of the transition, warning that it could impede the company's plans. "Verizon Wireless intends to begin field testing and deployment of LTE this year," wrote Seidenberg. "Deployment of LTE, however, can only be done if we have access to the 700MHz frequencies. Delaying the DTV transition will delay our ability to upgrade those frequencies to 4G broadband for American consumers and have a negative impact on our nation's international competitiveness." That viewpoint has put Verizon at odds with AT&T, which has signaled its support for a delay in order to ensure a smooth transition—and, coincidentally, is not planning to use its own winnings from the 700Mhz block for LTE.

It's not clear whether Verizon would really be able to make good on its plans to begin deploying its

10

LTE network by the end of 2009. Most analysts believe that a relatively short postponement, on the order of three months, would have little effect on 4G deployment—provided it did not set the stage for further delays, as Verizon clearly fears it might. Such a delay might also avoid a spate of homeowners sliding off icy rooftops as they struggle to install new antennas.

But a longer, more disruptive delay might provide some breathing room for Verizon competitor Clearwire. That company is seeking to build market share for its own WiMAX network, a joint venture with Sprint, before LTE is ready for prime time. Clearwire has boasted that it remains years ahead of the competition, but while WiMAX networks in Portland and Baltimore are already up and running, scheduled expansions to other cities have been delayed until late 2009, even as Verizon has bumped up its own schedule. The company's stock has now been in free-fall for months, and several major backers recently announced they would take major write-downs on their investments in Clearwire. (The roster of large investors in Clearwire includes Obama-ally Google.) A toxic negative feedback loop in investor confidence could leave it unable to finance its promised buildouts for 2009. With any transition delay certain to push the spectrum handover into the next quarter of the fiscal year, if not further, the attendant uncertainty could also factor into investment decisions as Wall Street—and equipment makers—decide which standard to back.

A conflict of interest?

Enter Gerry Salemmé. A telecom industry veteran; former lobbyist; and Clearwire executive vice president for strategy, policy, and external affairs, Salemmé has also been a generous Obama supporter. Early in the primary season, Salemmé gave the maximum \$2,300 to Obama for America, and then in August threw in another \$10,000 to the Obama Victory Fund, a joint fundraising committee that accepts large contributions and carves them up between the party and candidate. (An apparent typo in the OVF's FEC filing credits this donation to "R. Gerard Salemmine." OpenSecrets shows the cash as split into \$5,400 for the Democratic National Committee's Services Corporation and *two* contributions of \$2,300 to Barack Obama, which on face would seem to exceed Salemmé's cap for the primary and general combined.) Once the race to the White House was won, Salemmé scrounged another \$5,000 for the transition effort.

<http://media.arstechnica.com/news.media/review-team.png>
Salemmé is not listed on Change.gov

As of this writing, Salemmé is not mentioned anywhere on the Change.gov site—which lists members of the Obama transition's staff, policy working groups, and agency review teams—nor has there been any public announcement of his involvement with the presidential transition. A spokesman for his company says that Salemmé "remains in his position as Executive VP at Clearwire." But Ars has learned that Salemmé has been on leave using accrued vacation and acting as a key advisor to the Obama transition team on DTV issues.

Last week, Salemmé met with Sen. Jay Rockefeller (D-WV) and Tom Wheeler, who is heading Obama's science and technology working group, to discuss a DTV delay, Rockefeller's office confirms. Rockefeller is among the prominent Democratic legislators supporting Obama's call for a DTV changeover postponement. So is Rep. Ed Markey (D-MA), whom Salemmé once served as chief of staff. Both have previously expressed concern about the uneven progress of the transition. Salemmé's pivotal role with the Obama team, however, suggests that his judgment would have weighed heavily in the decision to bite the bullet and call for a delay—as well as the subsequent effort to rally support for that decision.

Salemmé is widely praised for his expertise, both in the tech industry and on Capitol Hill. It's no surprise his résumé made him attractive to a transition effort noted for prizing technocratic competence—especially as it became apparent how massive were the remaining challenges for DTV a mere month or so from the February deadline. And it is an unfortunate fact of life that people with serious expertise in the tech industry also tend to have strong ties to the tech industry. But Salemmé's high position with a primary competitor of Verizon—the company most vocally protesting

that it would be adversely affected by a delay—creates an unavoidable appearance of conflict of interest.

Wheeler, meanwhile, arguably has his own stake in the outcome of the 4G wars, albeit a more tenuous one. He's currently on leave from Core Capital Partners, whose portfolio includes a \$10 million investment in BridgeWave, a company that provides the high-speed wireless backhaul services demanded by 4G networks. Companies like Verizon, flush with fiber, have less need for such services, as a BridgeWave white paper explains:

All things being equal, most operators will choose fiber optic cabling as their preferred backhaul solution. It is perceived as a well-proven technology (it's been deployed in core networks for decades) with nearly limitless capacity scalability. Unfortunately, most of the time operators do not already happen to own fiber running directly to a base station site, and are therefore faced with either paying to install a new fiber run or paying installation and recurring costs to another operator to provide fiber-based services to the site. [...] Leasing high-capacity data services from another operator is almost always unacceptable from a cost perspective.

Canadian firm DragonWave was the incumbent wireless backhaul provider for Sprint's WiMax network, and appears to have continued its relationship with the new Clearwire joint venture. Neither DragonWave nor BridgeWave, however, would comment on any future deployment plans either might have with the company.

Behind the need for speed

Opponents of a delay, such as the Consumer Electronics Association, may also have motives beyond a passion for sound policy. One Capitol Hill source complained that the electronics industry had championed a "bare-bones" converter box program in hopes that frustrated consumers would conclude it was simpler to buy newer television sets ready to receive digital signals. The cable industry, meanwhile, has remained publicly neutral, while asserting its readiness to help meet the current deadline by assisting in a recently assembled call-center effort. But cable, too, may stand to gain from a chaotic transition that drives consumers into its coaxial grasp.

Republicans, for their part, are loath to be blamed for a botched transition requiring a change of schedule. Panels at CES this weekend were rife with criticism of the FCC—and in particular of Chairman Kevin Martin, who opposes a delay—for dragging its feet in preparing for the inevitable flood of consumer questions, both before and after the transition. Any chaos that ensues when analog goes dark, however, will occur on Barack Obama's watch.

Whether Congress agrees to postpone the DTV changeover or decides to press ahead, the only certainty is that either decision will leave some powerful interests sorely displeased.

*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Jared Cornfeld
Sent: Thursday, January 08, 2009 10:49 AM
To: OSP DL
Subject: Congress Urged To Postpone Nation's Switch To Digital TV

Congress Urged To Postpone Nation's Switch To Digital TV

By Kim Hart
Washington Post Staff Writer
Thursday, January 8, 2009; D01

Consumers Union is urging Congress to delay the nation's transition to digital television, saying the program to help TV viewers prepare for the switch next month has been underfunded and poorly implemented.

In a letter sent last night to President Bush, President-elect Barack Obama, House Commerce Committee Chairman Henry A. Waxman (D-Calif.) and Senate Commerce Committee Chairman John D. Rockefeller (D-W.Va.), the consumer advocacy group said Congress should push back the transition "until a plan is in place to minimize the number of consumers who will lose TV signals."

The request comes two days after the federal government said it has run out of money to provide coupons to help offset the cost of converter boxes. Analog television sets that rely on "rabbit ear" or rooftop antennas to receive broadcasts will need a converter box to get a picture after Feb. 17, when all full-powered television stations will stop airing analog signals and move to digital-only broadcasts.

Lawmakers are looking for ways to make sure consumers who need coupons get them in time. "But with the date looming, moving the date back certainly warrants further discussion and may be a wise choice," said Daniel Reilly, a spokesman for Rep. Edward J. Markey (D-Mass.), chairman of the House subcommittee on telecommunications and the Internet.

As of Sunday, consumers requesting \$40 vouchers to help purchase a converter box are being placed on a waiting list, and federal officials warn that TV watchers may not receive the coupons in time for the switch.

A coupon is not needed to purchase a converter box. But with boxes costing \$50 to \$80 in retail stores, Congress allocated \$1.34 billion to provide coupons to help offset the price. Consumers who have a newer digital television or who subscribe to cable or satellite service will not lose programming.

The government-mandated switch to digital television will free up wireless airwaves for public safety agencies and other advanced mobile services. An auction of those analog airwaves raised \$19 billion for the government last year. The National Telecommunications and Information Administration, an arm of the Commerce Department, was charged with distributing the converter box coupons, which expire after 90 days. But due to the budget shortfall, the NTIA cannot mail out more coupons until already-issued vouchers expire.

"Millions of consumers could now be forced to spend their own money to navigate this federally mandated transition," the letter says. "This economic climate is not the right time to ask consumers to

dig deeper into their own pockets to pay for the miscalculation by the federal government. "

Obama's transition team said yesterday that it has not weighed in on whether it would support a delay. Members of Congress are trying to find additional funds for the coupon program and may consider waiving a rule to allow NTIA to issue more coupons without waiting for others to expire.

On Tuesday, the Federal Communications Commission announced \$8.4 million in grants to 12 community-based organizations. The grants are intended to reach out to consumers who are most at risk of losing television signals -- senior citizens, people with disabilities, low-income and non-English-speaking households.

But Consumers Union said it is concerned there is not enough time left to reach all at-risk consumers. The group also questioned the ability of the FCC's call centers to handle a flood of calls from confused television-watchers on Feb. 17.

*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Jennifer Flynn
Sent: Wednesday, February 11, 2009 2:21 PM
To: Sherille Ismail
Subject: RE: SLC - PN Ex. A and B

Only 2 are indicated to go on the 17th, the rest say pre-2/17. Those not in red should be delaying until 6/12. Only the 2 going on 2/17 are listed on Ex. A.

Jennifer A. Flynn
DMA Coordinator, Las Vegas
Federal Communications Commission
Mobile 202.503.0774
Office 202.418.0612
Jennifer.Flynn@fcc.gov



From: Sherille Ismail
Sent: Wednesday, February 11, 2009 2:19 PM
To: Jennifer Flynn
Subject: RE: SLC - PN Ex. A and B

the way i read ex B was that the stations in red are ending analog on 2/17 and that there are several of these in the SLC DMA.

From: Jennifer Flynn
Sent: Wednesday, February 11, 2009 2:15 PM
To: Sherille Ismail
Subject: SLC - PN Ex. A and B

The way I read it, Ex. A is missing a list of Salt Lake City stations that are transitioning before 2/17 (that are listed on Ex. B). Ex. A only shows the 2 stations that will transition on 2/17. This does not match the description of what the exhibits show, since both purport to show full records of full-power stations only. *I.e.*, a number of SLC stations are missing from Exhibit A.

Anyhow, we might already have our answer. No-red and no date information on Ex. B should mean they are delaying until 6/12.

Jennifer A. Flynn
DMA Coordinator, Las Vegas
Federal Communications Commission
Mobile 202.503.0774
Office 202.418.0612
Jennifer.Flynn@fcc.gov



Sherille Ismail

From: Sherille Ismail
Sent: Thursday, February 05, 2009 6:47 PM
To: James Miller; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Tracking:	Recipient	Message Status
	James Miller	
	Roger Goldblatt	
	Maureen McLaughlin	
	DTV-Pacific	

Thanks, Jim. To clarify, this is what Chairman Copps said:

"Thus far, the following broadcasters have committed to continuing to transmit in analog and digital on their owned-and-operated stations through June 12: CBS, Fox, NBC and Telemundo and ABC. In addition, Gannett and Hearst-Argyle have said that the "vast majority" of their stations will maintain an analog signal until June 12." http://hraunfoss.fcc.gov/edocs_public/attachmatch/DOC-288314A1.doc. Thus, some stations who previously wanted to terminate on Feb 17 may not do so. Until they file on Feb.9, we may not be able to get the full picture.

From: James Miller
Sent: Thursday, February 05, 2009 6:21 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sherille pointed out Chairman Copps mentioned in the en banc that the affiliates (at least their owned and operated stations) may all be transitioning in blocks. Again our effort here is to give Roger and Maureen a heads up of what the word on the street is. We understand some stations have decided not to go on 2/17 after reading the public notice.

W/ current updates.. Let me know if I've munged anyone's entries.

From: James Miller
Sent: Thursday, February 05, 2009 4:48 PM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger asked me to send out mail and ask all DMA Coordinators to enter what you know by COB today. Many stations are coordinating regionally so we'll probably have a waterfall as stations confirm their plans--after digesting the public notice.

Please make sure you populate a section of the spreadsheet with Your name, DMA Name, DMA #, Station Call Sign/Affiliate, Elected Transition Date. If you have notes please try to put them to side in the last (sixth) column rather than putting them below (Makes it easier to cut and paste entries..).

Again, specifics are better but if you have a "gist" please enter what's available.

From: James Miller
Sent: Thursday, February 05, 2009 11:06 AM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

This is our snapshot as of 11am of Chico, Fresno, Bend, Medford, Portland, Las Vegas, Spokane, Salt Lake, Fairbanks and Juneau, and Bay Area. If you haven't chimed in feel free to send me mail with your DMA # and whatever info you have available. Also please feel free to update and correct the list with your DMA numbers, station info etc. Again nothing overly formal but everyone's grasping for a view of what the stations are thinking.

From: James Miller
Sent: Wednesday, February 04, 2009 7:00 PM
To: Michael C. Smith; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Thanks Mike.

I spoke to Roger (yes he does exist!!) and I think they will want this whenever available and at the whatever level of specificity we can offer.

If DMA coordinators send me info about their regions I'll enter it into the spreadsheet--feel free to update the excel and send it to me if you have the stations handy. Please update Mike's version if you do though. Another note if you have the date that stations have already transitioned please enter the specific date (if available). We can continue to update it so not a COB deadline I think.

From: Michael C. Smith
Sent: Wednesday, February 04, 2009 6:24 PM
To: James Miller; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Jim,

I think your spreadsheet is a good way to gain an overall picture of the transition on February 17th. I have added my DMA info and attached the spreadsheet. Let me know if you need anything else.

Michael C. Smith
 DTV Coordinator for Bend, Medford, Klamath Falls, OR
 Federal Communications Commission
 445 12th Street SW, Washington, DC 20554
MichaelC.Smith@fcc.gov
 (202) 418-0584 (office)
 (202) 503-0900 (blackberry)

From: James Miller
Sent: Wednesday, February 04, 2009 5:31 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific

Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Sorry the attachment didn't take..

From: James Miller
Sent: Wednesday, February 04, 2009 5:30 PM
To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
Cc: Maureen McLaughlin; Roger Goldblatt
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

I wonder if we could fill in the Station Call Signs and Dates as they become available. I'm happy to enter them if DMA coordinators want to email me directly. I'm guessing this might be helpful for Maureen and Roger to have COB.

From: James Miller
Sent: Wednesday, February 04, 2009 5:04 PM
To: Jennifer Flynn; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Can we start adding station names and status?

Las Vegas, xxxx TBD
 Chico-Redding, KRCR (TBD)
 [James Miller] Fresno-Visalia, {ABC} (2/17), {NBC} (2/17), {CBS}, (2/17), {FOX} (2/17)
 [James Miller]

From: Jennifer Flynn
Sent: Wednesday, February 04, 2009 4:56 PM
To: James Miller; DTV-Pacific
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

My state broadcasters get together and decide, even if the decision isn't uniform. Waiting to hear.

Jennifer A. Flynn
 DMA Coordinator, Las Vegas
 Federal Communications Commission
 Mobile 202.503.0774
 Office 202.418.0612
jennifer.flynn@fcc.gov



From: James Miller
Sent: Wednesday, February 04, 2009 4:54 PM
To: DTV-Pacific
Subject: DMA Coordinators: What are your Stations Going to Do?

Maureen and Roger had discussed sending out an email to DMA coordinators to prepare a list of what stations:

intend to delay until the new date; intend to still go on 2/17; and which have already transitioned. I hadn't seen an email to that effect but was curious what other DMA Coordinators markets were looking like. Does everyone have this info available? I'm waiting for station that is waiting for word from their Corporate office.

The vote was 264 to 158, with more Republicans voting for the delay (23) than there were Democrats (10) going against the Obama administration and party leadership to vote against it.

...

Some stations have already indicated they are sticking with the Feb. 17 date. The FCC said it had heard from 276 stations to that effect, in addition to 143 stations that had already pulled the plug, and another 60 who said they planned to do so before Feb. 17. The FCC had pointed out that some of those 276 may change their minds once the date changes.

http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

--

James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: James Miller
Sent: Thursday, February 05, 2009 10:36 AM
To: Sherille Ismail
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

What... KAYU wants to be the overacheiver.. :)

> -----Original Message-----

> From: Sherille Ismail
> Sent: Thursday, February 05, 2009 7:19 AM
> To: James Miller
> Subject: RE: DMA Coordinators: What are your Stations Going to Do?

>
> Jim:
> this is the latest for Spokane (DMA 75).
> KHQ, KREM, KSPS will terminate analog on 2/17.
> KAYU will terminate early on 2/16.
> KLEW will continue analog broadcasts after 2/17, until further notice.
> thx
> sherille

> -----Original Message-----

> From: James Miller
> Sent: Wed 2/4/2009 7:00 PM
> To: Michael C. Smith; DTV-Pacific
> Cc: Roger Goldblatt; Maureen McLaughlin
> Subject: RE: DMA Coordinators: What are your Stations Going to Do?

> Thanks Mike.

>
> I spoke to Roger (yes he does exist!!) and I think they will want this
> whenever available and at the whatever level of specificity we can
> offer.

>
> If DMA coordinators send me info about their regions I'll enter it
> into the spreadsheet--feel free to update the excel and send it to me
> if you have the stations handy. Please update Mike's version if you
> do though. Another note if you have the date that stations have
> already transitioned please enter the specific date (if available).
> We can continue to update it so not a COB deadline I think.

>
>
>
> -----
> From: Michael C. Smith
> Sent: Wednesday, February 04, 2009 6:24 PM
> To: James Miller; DTV-Pacific
> Cc: Roger Goldblatt; Maureen McLaughlin
> Subject: RE: DMA Coordinators: What are your Stations
> Going to Do?

> Jim,

>
>
> I think your spreadsheet is a good way to gain an
> overall picture of the transition on February 17th. I have
> added my DMA info and attached the spreadsheet. Let me know

> if you need anything else.

>
>
>
> Michael C. Smith
> DTV Coordinator for Bend, Medford, Klamath Falls, OR
> Federal Communications Commission
> 445 12th Street SW, Washington, DC 20554
> MichaelC.Smith@fcc.gov
> (202) 418-0584 (office)
> (202) 503-0900 (blackberry)

> From: James Miller
> Sent: Wednesday, February 04, 2009 5:31 PM
> To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
> Cc: Maureen McLaughlin; Roger Goldblatt
> Subject: RE: DMA Coordinators: What are your Stations
> Going to Do?

> Sorry the attachment didn't take..

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> Sent: Wednesday, February 04, 2009 5:30 PM
> To: Anderson Bennett; Jennifer Flynn; DTV-Pacific
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> Subject: RE: DMA Coordinators: What are your
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> From: James Miller
> Sent: Wednesday, February 04, 2009 5:04 PM
> To: Jennifer Flynn; DTV-Pacific
> Subject: RE: DMA Coordinators: What are
> your Stations Going to Do?

> Can we start adding station names and status?

> Las Vegas, xxxx TBD

> Chico-Redding, KRCR (TBD)

> [James Miller] Fresno-Visalia, {ABC}
> (2/17), {NBC} (2/17), {CBS}, (2/17), {FOX} (2/17)
> [James Miller]

> From: Jennifer Flynn
> Sent: Wednesday, February 04, 2009 4:56 PM

> To: James Miller; DTV-Pacific
> Subject: RE: DMA Coordinators: What are
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>
>
> Jennifer A. Flynn
>
> DMA Coordinator, Las Vegas
>
> Federal Communications Commission
>
> Mobile 202.503.0774
>
> Office 202.418.0612
>
> Jennifer.Flynn@fcc.gov

>
>
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>
>
> http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

>
>
>
> Warm regards,

> --

> James Miller, Attorney Advisor
> FCC Office of Engineering and Technology
> Private and Confidential Attorney Work Product
> *** Non-Public: For Internal Use Only ***
>
>
>
>
>

Sherille Ismail

From: Jessica Przybyla
Sent: Thursday, January 08, 2009 4:39 PM
To: DTV-Volunteers
Subject: Questions about delaying the transition date

If you receive any questions about delaying the DTV transition date please use the following response:

The deadline is 2/17, and unless that changes, that is what we are preparing consumers for. Congress chose the date. We were charged with implementing technical policies to make the transition happen.

Sherille Ismail

From: Sherille Ismail
Sent: Thursday, February 05, 2009 11:14 AM
To: James Miller
Cc: Leo Fitzpatrick
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Tracking: **Recipient** **Read**
 James Miller Read: 2/5/2009 11:15 AM
 Leo Fitzpatrick Read: 2/5/2009 1:38 PM

Jim:

can you also add the following for Eureka (DMA 193):

KVIQ---terminated 11/30/2008
 KBVU-- "
 KEET--2/17/2009
 KIEM--2/17/2009
 KAEF--2/17/2009

Leo is covering Eureka and he can confirm this, but I believe this is the latest info I have.

thx

Sherille Ismail
 Senior Counsel
 Office of Strategic Planning and Policy Analysis
 Federal Communications Commission
 (202) 418-0429
 sherille.ismail@fcc.gov

From: James Miller
Sent: Thursday, February 05, 2009 11:06 AM
To: DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

This is our snapshot as of 11am of Chico, Fresno, Bend, Medford, Portland, Las Vegas, Spokane, Salt Lake, Fairbanks and Juneau, and Bay Area. If you haven't chimed in feel free to send me mail with your DMA # and whatever info you have available. Also please feel free to update and correct the list with your DMA numbers, station info etc. Again nothing overly formal but everyone's grasping for a view of what the stations are thinking.

From: James Miller
Sent: Wednesday, February 04, 2009 7:00 PM
To: Michael C. Smith; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

3/3/2009

26

Thanks Mike.

I spoke to Roger (yes he does exist!!) and I think they will want this whenever available and at the whatever level of specificity we can offer.

If DMA coordinators send me info about their regions I'll enter it into the spreadsheet--feel free to update the excel and send it to me if you have the stations handy. Please update Mike's version if you do though. Another note if you have the date that stations have already transitioned please enter the specific date (if available). We can continue to update it so not a COB deadline I think.

From: Michael C. Smith
Sent: Wednesday, February 04, 2009 6:24 PM
To: James Miller; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Jim,

I think your spreadsheet is a good way to gain an overall picture of the transition on February 17th. I have added my DMA info and attached the spreadsheet. Let me know if you need anything else.

Michael C. Smith
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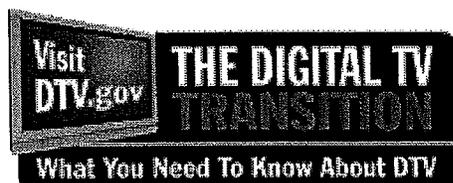
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Jennifer A. Flynn
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Federal Communications Commission
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http://www.broadcastingcable.com/article/173613-Congress_Changes_DTV_Hard_Date_to_June_12.php

Warm regards,

--

James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Sherille Ismail
Sent: Thursday, February 05, 2009 7:19 AM
To: James Miller
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Attachments: image001.gif



image001.gif (9 KB)

Jim:
this is the latest for Spokane (DMA 75).
KHQ, KREM, KSPS will terminate analog on 2/17.
KAYU will terminate early on 2/16.
KLEW will continue analog broadcasts after 2/17, until further notice.
thx
sherille

-----Original Message-----

From: James Miller
Sent: Wed 2/4/2009 7:00 PM
To: Michael C. Smith; DTV-Pacific
Cc: Roger Goldblatt; Maureen McLaughlin
Subject: RE: DMA Coordinators: What are your Stations Going to Do?

Thanks Mike.

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Warm regards,

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James Miller, Attorney Advisor
FCC Office of Engineering and Technology
Private and Confidential Attorney Work Product
*** Non-Public: For Internal Use Only ***

Sherille Ismail

From: Sherille Ismail
Sent: Monday, January 26, 2009 11:23 AM
To: 'Cindy Denbo'; 'Nickolaus, Loretta'
Subject: RE: D-TV Meeting @ A1AA

Hi Cindy:

I am hoping that, working together, we can make a fairly aggressive effort to make sure nobody is left in the dark after the TV cutoff, whether it is Feb. 17 or later (if Congress delays the deadline). The January 15 meeting was a good start. Because of your deep ties to the senior community (or, in your words, "individual contacts in with those still inhabiting the analog universe"), you are in the ideal position to help those most in need of assistance to make the transition to digital. I know you can count on whatever help you need from the FCC, and Loretta and other key County officials have also pledged their support. As a first step it would be useful to know whether you expect to reach enough seniors through your own organization to provide all the help that is needed? Marianne mentioned to me that you can reach several thousand people. Will that exhaust your grant funding? If not, I would suggest, at a minimum, a few immediate steps:

1. Prepare a flyer offering Area 1's assistance to seniors to help with connecting converter boxes, etc. This can be distributed through the County HHS offices (per the offer of Beverly Morgan Lewis and Donna Wheeler) to a wide audience of needy people.
2. Distribute the flyer (or a PSA) to all the broadcasters.
3. Participate with the broadcasters in the next "soft test" and have volunteers available at phone banks to answer questions or take referrals for those needing assistance with hooking up converter boxes.
4. Organize an outreach event to bring seniors to a public location to make them aware or to take advantage of the services Area 1 is able to offer, i.e., signing up seniors or connecting their converter boxes. [If needed, I can have an FCC staffer available to help at such an event.] This may be particularly useful if Congress passes new legislation making any changes in the coupon program. [Stay tuned.]
5. Try to persuade local broadcasters or foundations to purchase and donate converter boxes to eligible seniors who may be unable to get one through the federal program.

These are just suggestions because I know you are the expert in finding ways to help seniors in Humboldt County, and may already have done these or other activities. Let me know what you think.

Thanks!

Sherille Ismail
 Senior Counsel
 Office of Strategic Planning and Policy Analysis
 Federal Communications Commission
 (202) 418-0429
 sherille.ismail@fcc.gov

From: Cindy Denbo [mailto:director@a1aa.org]
Sent: Saturday, January 24, 2009 1:49 PM
To: 'Nickolaus, Loretta'; Sherille Ismail
Subject: D-TV Meeting @ A1AA

Hi Sherille and Loretta,

Please know that we were and are pleased to collaborate with Humboldt County and the FCC to facilitate the connection of people to service at its most basic level. As you said in the first

meeting, Loretta...I am not a TV Gal...but what we lack in technical broadcasting expertise, we make up for in individual contacts with those still inhabiting the analog universe. If we can be of further assistance, do let me know. Until then, we will nudge as many as we can into their digital future...

Thank you.

Cindy

Cynthia Denbo
Executive Director
Area 1 Agency on Aging
434 7th Street
Eureka, CA 95501-3490
(707) 442-3763
director@a1aa.org

From: Nickolaus, Loretta [mailto:LNickolaus@co.humboldt.ca.us]
Sent: Wednesday, January 21, 2009 1:14 PM
To: Sherille Ismail; Cindy Denbo
Subject: RE: D-TV Meeting @ A1AA

Hello

Sherille, we wouldn't have pulled the group together if it wasn't for you! Thank you so much for coming to our area and offering your expertise, guidance and assistance.

Cindy, thank you for hosting the group and for what I understand was a wonderful 'second' session.

I think the meeting(s) went very well. I am working on a Resolution to bring to the Board of Supervisors supporting Local to Local. I've enlisted the help of Dan Larkin, Sean McLaughlin and Jan Krepalian. Assuming the Board supports Local to Local (encouraging ALL communications companies to offer/provide local television and radio services), I will forward the Resolution to all the cities for adoption (the city managers are "in"). Maybe we will get our higher legislative officials to weigh in too. I know we already have Mike Thompson's support. And maybe just maybe the satellite companies will re-consider investing in Humboldt.

Loretta

From: Sherille Ismail [mailto:Sherille.Ismail@fcc.gov]
Sent: Wednesday, January 21, 2009 7:21 AM
To: Nickolaus, Loretta; Cindy Denbo
Subject: RE: D-TV Meeting @ A1AA

Loretta, Cindy:

Looking back after a few days, I still think the two events we held last week were a tremendous success, by bringing together key players in a constructive private meeting and getting the message out through the media to the community in the public meeting. Of course, none of this would have been possible without the critical efforts

3/3/2009

33

of both of you. It is one of my pleasures to be working with true professionals committed to serving their communities.

Keep up the great work!

Sherille Ismail
Senior Counsel
Office of Strategic Planning and Policy Analysis
Federal Communications Commission
(202) 418-0429
sherille.ismail@fcc.gov

From: Nickolaus, Loretta [mailto:LNickolaus@co.humboldt.ca.us]
Sent: Thursday, January 15, 2009 11:27 AM
To: Cindy Denbo; Sherille Ismail
Subject: RE: D-TV Meeting @ A1AA

Thank you Cindy

From: Cindy Denbo [mailto:director@a1aa.org]
Sent: Wednesday, January 14, 2009 4:05 PM
To: Nickolaus, Loretta; sherille.ismail@fcc.gov
Subject: D-TV Meeting @ A1AA

Good afternoon, Loretta and Sherille,

A brief update on our meeting plans and logistics:

- The private meeting will be in our 2nd floor conference room. This room seats 18 comfortably at a table and we will have chairs for several others, as necessary. The room has a whiteboard, if that will be useful, and we will have name tents for meeting attendees. Coffee will be provided. Our newly-installed elevator is scheduled to be state certified by the end of January, but is not available for use at present...I do hope that everyone can use the stairs.
- Press releases have been sent to all Humboldt County media inviting the public to attend a Q & A session, demonstration and receive individual assistance in obtaining (on-line) coupons, as well as invitations to the press to attend a press conference at 11AM. A1AA staff have followed up with phone calls to all media this afternoon reminding them of both. We have also promoted the public portion of tomorrow's program twice this week on KIEM. (And, as we know, as far as local media--you never know who will show. Flexibility is our motto...)

And so...please call me if there are last-minute changes to our plans.

Thank you...

--Cindy

Cynthia Denbo
Executive Director
Area 1 Agency on Aging
434 7th Street
Eureka, CA 95501-3490
(707) 442-3763
director@a1aa.org

Sherille Ismail

From: Binh Nguyen
Sent: Thursday, February 05, 2009 12:34 PM
To: Margaret Egler; Sherille Ismail; DTV-Pacific
Subject: RE: Required Notification to FCC for Termination of Analog Service on 2/17/2009

Pacific Team:

I also agreed that we should wait for official order from HQ. I am very sorry that my message is causing confusion among ourselves.

Binh-PO

-----Original Message-----

From: Margaret Egler
Sent: Thursday, February 05, 2009 9:12 AM
To: Sherille Ismail; Binh Nguyen; DTV-Pacific
Subject: RE: Required Notification to FCC for Termination of Analog Service on 2/17/2009

Agreed. Apparently, there are new reporting requirements for stations depending what day they plan to discontinue their analog service.

-----Original Message-----

From: Sherille Ismail
Sent: Thursday, February 05, 2009 9:08 AM
To: Binh Nguyen; DTV-Pacific
Subject: RE: Required Notification to FCC for Termination of Analog Service on 2/17/2009

Before contacting the stations, you may want to wait for the Public Notice that the FCC will issue later today. Stay tuned.

Sherille Ismail
Senior Counsel
Office of Strategic Planning and Policy Analysis Federal Communications Commission
(202) 418-0429
sherille.ismail@fcc.gov

-----Original Message-----

From: Binh Nguyen
Sent: Thursday, February 05, 2009 2:48 AM
To: DTV-Pacific
Subject: Required Notification to FCC for Termination of Analog Service on 2/17/2009

Folks, FYI

Be sure to remind the stations in your DMAs in the event that they will make the transition on 2/17/09, they must notify the FCC in form of a Legal STA.

Attached are:

1. Legal Requirement, DA-08-2264A1 (see paragraph 2nd) 2. Actual sample of a Legal STA filed by KATU on 2-4-09 to terminate their analog service on 2/17/09.

Binh-PO

Sherille Ismail

From: Sherille Ismail
Sent: Thursday, February 05, 2009 12:08 PM
To: Binh Nguyen; DTV-Pacific
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