

December 21, 2007

Kevin Neyland
Deputy Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D. C. 20503

Dear Mr. Neyland:

The Federal Communications Commission requests clearance under the “emergency processing” provisions of the Paperwork Reduction Act of 1995 (5 CFR 1320.13) for the information collection OMB Control Number 3060-1105 - Digital TV Transition Status Report, FCC Form 387. We request approval within five workdays after the Commission’s Report and Order is released to the public.

The Commission is seeking emergency approval from OMB for this collection based, in part, on the prior submission for OMB approval of this information collection requirement. This collection, as adopted, has not been substantively changed since its previous submission at the NPRM stage. In order for the Form 387 to be ready for use by broadcasters in time to meet the February 18, 2008 filing deadline, emergency OMB approval for this collection is needed in advance of that filing deadline. We note that the filing date for the Form 387 is being changed from December 1, 2007 (which date has passed) to February 18, 2008. We also note that the Report and Order adopts an additional filing date of October 18, 2008 for stations to file the Form 387 if they have not reported the construction of their post-transition facility by such date. Although the Commission is not seeking emergency approval for this additional October 2008 information collection requirement, upon adoption and release of the Report and Order, it will seek OMB approval for this additional filing requirement through the normal OMB procedures.

The DTV transition affects virtually every segment of the television industry and every American who watches television. Congress has mandated that after February 17, 2009, full-power television broadcast stations must transmit only digital signals and may no longer transmit analog signals. The Commission has no discretion to waive or change this statutory deadline. This information collection requirement is critical to ensure that full-power television broadcast stations meet their statutory responsibilities and can begin operations on their final, post-transition (digital) channels by their construction deadlines. Stations that are not ready to commence digital operations upon expiration of the statutory transition deadline may be forced to go dark, potentially resulting in significant loss of television service to the American public and significant harm to the broadcast TV industry and the U.S. economy. In addition, the DTV transition will enable the recovery of spectrum for critically important public safety needs and new wireless services.

Emergency OMB approval is necessary for this collection to ensure that full power television stations are able to complete their transition from analog to digital service by February 17, 2009. Full-power television stations must file FCC Form 387 no later than February 18, 2008, detailing their current transition status, additional steps necessary for digital-only operation upon expiration of the February 17, 2009 transition deadline, and a timeline for making those steps. Therefore, in order for the Form 387 to be ready for use by broadcasters in time to meet the February 18, 2008 filing deadline, emergency OMB approval for this collection is requested within five workdays after release of the Report and Order to ensure that the form will be effective and available for filing no later than February 18, 2008. Because the FCC Form 387 has previously been submitted to OMB

and because any delay can result in harm to television stations, and, in turn, to their viewers, we find that there is good cause to obtain emergency PRA approval from OMB.

My staff is ready to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request within the time we have requested.

Mindy Ginsburg
Deputy Managing Director
Federal Communications Commission