



Federal Communications Commission
Washington, D.C. 20554

April 8, 2008

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 approval under the Paperwork Reduction Act of 1995 and in accordance with OMB's emergency processing rules (5 CFR 1320.13) for two DTV transition-related information collection requirements, discussed below (OMB Control Number 3060-0386 and a new collection). We expect to publish a Federal Register Notice by April 9, 2008 informing the public of our request for OMB emergency processing and with OMB's permission providing a 20-day public comment period. Thus, the comment period would close on April 28, 2008, and we would request OMB's approval by **May 7, 2008**.

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. These information collection requirements are 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 these collections to ensure that full power television stations are able to (1) cease analog broadcasting, and (2) complete construction of, and begin operations on, their final, DTV facility, by the February 17, 2009 transition deadline. Recognizing that broadcasters may need regulatory flexibility in order to achieve these goals, the Commission adopted rules to permit broadcasters to request and obtain regulatory flexibility from the Commission, if necessary, to meet their DTV construction deadlines. Stations that want to apply for such opportunities for regulatory flexibility must comply with the information collection requirements at issue here. Because any delay can result in harm to television stations that need such flexibility, and, in turn, to their viewers, we find that there is good cause to expedite the effective date of these rules and obtain emergency PRA approval from OMB for these collections.

FCC 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 by **May 7, 2008**.

Sincerely,

A handwritten signature in black ink, appearing to read "M. J. Ginsburg", with a long, sweeping horizontal flourish extending to the right.

Mindy J. Ginsburg
Deputy Managing Director
Federal Communications Commission