



Federal Communications Commission
Washington, D.C. 20554

November 14, 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 revision of two currently approved information collection requirements (OMB Control Numbers 3060-0027 (FCC Form 301) and 3060-0029 (FCC Form 340)), that will allow full power DTV stations to use distributed transmission system (DTS) technologies to provide TV service. Use of DTS technologies by DTV stations is voluntary, but it is important for the Commission to know where and how it is being used to prevent harmful interference to communications. Assuming we receive your permission to proceed with an emergency processing request by November 24, 2008, we expect to publish a Federal Register Notice by December 1, 2008, informing the public of our request for OMB emergency processing and, with OMB's permission, provide a 23-day public comment period.¹ Thus, the comment period would close on December 23, 2008, and we would request OMB's approval by January 5, 2009.

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. 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.

In the Report and Order, FCC 08-256 (released Nov. 7, 2008), the Commission adopts rules to permit DTV stations to use DTS technologies. Enclosed with this letter for your reference is Appendix B to the DTS Report and Order describing the rule added by this R&O, to be codified at 47 C.F.R. § 73.626. The information collection requirement is in § 73.626(f). Please note that only stations that voluntarily choose to use DTS technologies will be subject to these requirements. Also enclosed with this letter for your reference is Appendix C to the DTS Report and Order describing the substantive changes to the form. In addition, the form will be revised to add "DTS" as a service type.

¹ Because of the urgency to provide this opportunity to DTV stations to enable a station to use DTS technologies to ensure that its current analog viewers do not lose service after the station transitions to digital-only operation,, we believe a comment period of less than 30 days is warranted in this situation. We also note that only stations choosing to apply for a DTS facility will be impacted by these collections.

Emergency OMB approval is necessary for these collections to allow full power television stations to use DTS technologies to meet their statutory responsibilities and begin operations on their final, post-transition (digital) channels by their construction deadlines. Unlike conventional DTV broadcast stations that use a single transmitter, DTS technology would employ multiple synchronized transmitters spread around a station's authorized service area. Each transmitter would broadcast the station's DTV signal on the same channel. The DTS signals from the multiple transmitters would be synchronized, allowing DTV receivers to treat the multiple signals as reflections or ghosts that can be cancelled or combined by the receivers' adaptive equalizer circuitry to produce a single signal. 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. DTS will provide broadcasters with an important tool for providing optimum signal coverage for their viewers. For some broadcasters that are changing channels or transmitting locations for their digital service, DTS may offer the best option for continuing to provide over-the-air service to current analog viewers, as well as for reaching viewers that have historically been unable to receive a good signal due to terrain or other interference.

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 January 5, 2009.

Sincerely,

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

Mindy Ginsburg
Deputy Managing Director
Federal Communications Commission