

**Before the
U.S. DEPARTMENT OF COMMERCE
NATIONAL TELECOMMUNICATIONS AND INFORMATION
ADMINISTRATION
Washington, D.C. 20230**

In the Matter of)
)
Request for Comment and Notice of) **Docket No. 060512129-6129-01**
Proposed Rules to Implement and)
Administer a Coupon Program for
Digital-to-Analog Converter Boxes

COMMENTS OF THE ALLIANCE FOR PUBLIC TECHNOLOGY

The Alliance for Public Technology ("APT") appreciates this opportunity to submit comments on the National Telecommunications and Information Administration's Proposed Rules to implement the coupon program for converter boxes, as part of the digital television conversion process. APT is a non-profit organization of public interest groups and individuals, working together to foster broad access to affordable, usable information and communications services and technology, for the purpose of bringing better and more affordable health care to all citizens, expanding educational opportunities for lifelong learning, enabling people with disabilities to be independent and productive citizens, creating opportunities for jobs and economic advancement, making government more responsive to all citizens and simplifying access to communications technology.

APT has been actively participating in the DTV transition process, individually and in concert with other consumer and public interest groups and industry players.¹ APT's primary goal for the transition is to help ensure that the former broadcast spectrum is reclaimed for other beneficial uses on a timely basis. If the transition process breaks down, this may further delay the reclamation of the spectrum for use in improved public safety communications and other advanced wireless services, especially the provision of wireless broadband in rural communities and other underserved areas. In addition, APT has worked to insure that the interests of the millions of Americans who rely entirely on over the air reception to view the programming of their local public and commercial television broadcast stations are protected during the transition process.² APT believes that the key to the success of the transition process is effective consumer education --

1 See, for example, the Letter to John M.R. Kneuer from Alliance for Public Technology, et. al. (June 2, 2006).

2 Although the Act does not define "eligible household," NTIA proposes to define this as households that only receive over-the-air television signals using analog-only television receivers.

about the transition, the coupon program for converter boxes, and the converter boxes themselves.

To be effective, the education campaign must be broad, diverse, and accessible.

While estimates of the number of U.S. households that rely exclusively on over-the-air television ("OTA") reception vary³, these households are more likely to have lower incomes than cable or satellite households. Non-white and Hispanic households are more likely to rely on OTA reception than are white and non-Hispanic households.⁴ More than a third of these households will contain residents over the age of fifty, many of whom will be in lower-income brackets or live on fixed incomes.⁵ Furthermore, millions of these households will be in rural areas, or will include persons with disabilities.

The consumer educational effort clearly must be tailored to maximize its ability to reach the OTA-only households, which will be most affected by the DTV transition. Ultimately, however, all Americans will need timely, accurate and understandable information concerning the transition. Because most residents are likely not aware of the transition's specifics or the limitations of the converter box subsidy program, all Americans will need to be educated about what is occurring, whether it affects them, and what, if anything, they need to do to continue to receive broadcast programming. Even Americans who will not be impacted by the transition (i.e., because all of their television sets are digital or are connected to cable or satellite systems), or those who will be ineligible for the coupon program (because they do not live in OTA-only households), will need timely information about their status, so that they do not make unnecessary purchases or create additional administrative burdens on the coupon process by submitting invalid applications.

Thus, the process of disseminating information throughout the transition must accommodate differences in geography (i.e., urban, suburban and rural populations), access to communications technologies, education and income levels, and languages, as well as the needs of seniors and people with disabilities. Information will need to be distributed in a variety of formats, including printed and electronic means, through broadcast public service announcements, toll-free numbers, websites, posters, placards, mailings, point-of-sale information and more. Such information should also be made available in federal, state, and local government offices, and via public libraries and other community institutions.

³ The legislative history of the Digital Television Transition and Public Safety Act of 2005 states that as of June 2004, 14.86 percent of U.S. television households relied exclusively on over-the-air reception. H.R. REP. No. 109-362, at 201 (2005) (Conf. Rep.). In 2005, the General Accountability Office found that figure to be 19 percent of U.S. households. "Digital Broadcast Television Transition: Estimated Cost of Supporting Set-Top Boxes to Help Advance the DTV Transition," GAO-05-258T (February 17, 2005) at 3. ⁴ *Id.*, at 7-8.

⁵ Testimony of Lavada E. DeSalles on Behalf of AARP, before the House Subcommittee on Telecommunications and the Internet of the House Committee on Energy and Commerce, March 10, 2005.

DTV consumer education materials must accommodate people with disabilities, by means that include the provision of materials in large print and Braille, by closed or open captioning and video describing televised PSAs, and by ensuring that web-based communications comply with web accessibility guidelines. The means of distributing coupons (for example, via websites and telephone services) and the coupons themselves also must be accessible to people with disabilities. Finally, the converter boxes must support captioning requirements, and the boxes' user interfaces and instructional materials must be accessible to people with disabilities.

NTIA must play an important leadership role in the education campaign.

Although the federal funds authorized to NTIA for consumer education purposes are quite limited⁶ in comparison to the scope of the effort that will be required for the transition to succeed, NTIA should exercise a leadership role throughout the education process, to insure that it is collaborative, consistent, and effective. A broad range of consumer, non-profit and industry groups are willing to do their part, but federal leadership and coordination of private sector efforts will be crucial. NTIA should work with these groups, the FCC, and other relevant public and private sector parties on an ongoing basis to make certain that the transition process works with minimal disruption to OTA-only households.

Conclusion

APT appreciates the opportunity to comment in this proceeding, and looks forward to continuing to help make the DTV transition process work.

⁶ The Act provides that NTIA may spend "not more than \$5,000,000 for consumer education concerning the digital transition and the availability of the digital-to-analog converter box program."