

From: Jim Snider
Sent: Thursday, September 02, 2004 2:51 PM
To: 'paul.margie@fcc.gov'; 'jordan.goldstein@fcc.gov'
Cc: Michael Calabrese; 'Harold Feld (E-mail)'; 'Andrew Schwartzman'
Subject: Docket 03-185 on LPTV and Translator stations going into sunshine at 4pm today
Importance: High

Jordan and Paul--

Mike asked me to let you know of the link between Microsoft's release today of Windows Media Player 10 and Docket 03-185 on LPTV and translators. Using a cheap consumer PC, Microsoft is claiming they can now get a standard definition TV channel in as little as 1 mbps and high definition TV in as little as 5 mbps. When the original DTV compression format was picked a decade ago, it looked like you could get maybe one HDTV channel and 3 or 4 SDTV channels in a 19.4 mbps programming stream. The point is that what became a controversial giveaway in 1996 should be a lot more controversial in 2004 because it now appears that you can get as many as 19 SDTV channels or 3 HDTV channels in an LPTV or translator 6 MHz band.

Just to summarize our argument: the Commission must decide whether it wants to use up the lion's share of rural broadcast band white space for TV translator stations or for rural broadband Internet service. It's been our understanding that expanding rural broadband Internet service was a higher priority than expanding the spectrum used by conventional broadcasting service. This expansion of rights for incumbents will, in effect, kill the broadcast unlicensed NPRM (Docket 04-186). Moreover, this expansion in rights comes with no attached PIOs. If this order gets passed, it will also invite huge speculation in the broadcast band.

Our first choice is to pull this item from next week's agenda. Our second choice would be a requirement that any additional services in the same band be on an unlicensed or co-equal basis with unlicensed service. We also oppose "loaning" a second channel to existing licensees.

Thank you very much for your consideration.

--Jim Snider

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