

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Requests for Waiver of Certain TV Tuner) MB Docket No. 10-111
Requirements in Order To Import and)
Distribute Mobile DTV Receivers Without)
Analog Tuners)

To: The Commission

REPLY COMMENTS

The Association for Maximum Service Television, Inc. (“MSTV”)¹ and the National Association of Broadcasters (“NAB”)² hereby file these reply comments concerning the above-captioned waiver requests (the “Petitions”), which seek waiver of Section 15.117 of the Commission’s Rules.³ MSTV and NAB agree with the many parties that filed comments in support of the waiver requests, particularly the comments filed by the Open Mobile Video Coalition (“OMVC”).⁴ Waiver of Section 15.117 for Mobile DTV devices that (1) contain only an ATSC A/153-compliant television receiver or (2) contain an ATSC A/153 receiver and an

¹ MSTV is a nonprofit trade association of local broadcast television stations committed to achieving and maintaining the highest technical quality for the local broadcast system.

² NAB is a nonprofit trade association that advocates on behalf of local radio and television stations and also broadcast networks before Congress, the Federal Communications Commission and other federal agencies, and the courts.

³ 47 C.F.R. § 15.117.

⁴ See Comments of OMVC, MB Docket No. 10-111 (June 4, 2010). See also, e.g., Comments of Cox Media Group, Inc. (June 4, 2010); Comments of Dell Inc. (June 4, 2010); Comments of Fisher Communications, Inc. (June 4, 2010); Comments of Harris Corporation (June 4, 2010); Comments of LG Electronics USA, Inc. (June 4, 2010).

ATSC A/53 receiver, without incorporating an NTSC (analog) capable tuner, would be in the public interest.

First, there is little or no consumer upside to requiring analog tuners in devices designed for mobile use. Achieving satisfactory analog television reception on such devices is not practical. As OMVC points out, “it is difficult, if not impossible, to receive analog signals on nomadic devices.”⁵ Moreover, the transition to digital television already is complete for full-power television stations, and the Commission anticipates completing the digital transition for low power television stations (which is already underway) by 2012-2015.⁶ The technical challenges inherent in trying to receive analog television signals on nomadic devices, together with the phase-out of analog broadcasting, show that requiring inclusion of an analog tuner in such devices would not provide material consumer benefits.

Second, imposing the analog tuner requirement on such devices would cause consumer harms. Including analog tuners in Mobile DTV devices would impose substantial costs and constraints on the devices’ design and manufacture.⁷ OMVC points out that analog tuners “result in design complexities, added manufacturing costs, and increased device size and

⁵ Comments of OMVC at 3. *See also* Comments of Harris at 6 (pointing out that “the NTSC Analog Standard and A/53 DTV Standard are not configured for nomadic viewing on mobile devices”).

⁶ *Connecting America: The National Broadband Plan*, Chapter 5.4, at 92-93 (March 16, 2010).

⁷ *See* Comments of LG at 3-4 (citing concerns with respect to decreased RF sensitivity and corresponding reductions in service areas; channel-scanning delays; circuitry challenges; compromised audio-visual quality; and cost).

weight – all of which increase costs for consumers.”⁸ LG also notes that inclusion of analog tuners in Mobile DTV devices would “significantly shorten” battery life.⁹

Third, Mobile DTV service is a critically important innovation and is highly valued by the public. Broadcasters are eager to provide a new array of services, including news, sports, weather, and mobile emergency services to their communities. Mobile broadcasting offers new, unique opportunities to expand viewing options. Granting the waiver is clearly in the public interest.

CONCLUSION

Limited waiver of Section 15.117 for Mobile DTV devices would facilitate the nationwide roll-out of Mobile DTV without creating offsetting consumer harms. For the reasons stated above, and in order to give manufacturers sufficient time to mass produce these devices for the 2010 holiday season, MSTV and NAB support expedited grant of the Petitions.

⁸ Comments of OMVC at 3.

⁹ Comments of LG at 4. That said, MSTV and NAB support Kenwood’s request that the Commission apply the waiver to Mobile DTV receiver devices installed in vehicles, even though such devices might not be considered to be “battery powered.” *See* Comments of Kenwood USA Corporation (June 4, 2010).

Respectfully submitted,

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June 11, 2010

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