

David K. Rehr
President and CEO



February 5, 2008

The Honorable Kevin J. Martin
Chairman
Federal Communications Commission
445 12th Street SW
Washington DC 20554

Re: CS Docket No. 98-120

Dear Chairman Martin:

It was with great disappointment that I heard the news Monday that certain cable programmers are attempting to derail the digital television transition (DTV) with a lawsuit that could prevent many cable consumers from receiving local broadcast television stations after the transition. We agree with the Commission that its "viewability" rules are required by the 1992 Cable Act and are essential to protecting the 40 million cable subscribers with analog cable.

NAB will strongly support your efforts to ensure the viewability of all broadcast stations by all cable subscribers, including analog subscribers, after February 17, 2009.

As you know, without rules ensuring the viewability of must-carry stations, many small, foreign language, and religious broadcast stations will go dark on some cable systems after the transition, disenfranchising millions of dedicated viewers that rely on cable companies to provide local stations without discrimination or material degradation. This would not be an acceptable outcome.

Broadcasters have made significant investments in digital technology that give television viewers a clearer television picture, better sound, and more local programming. The NAB DTV Transition staff is in the process of executing a multi-faceted, multi-million dollar initiative to educate America on the DTV transition. But broadcasters cannot carry the torch of better local television without some cooperation from our cable partners. The digital television transition is a multi-industry effort.

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The cable industry's lawsuit risks harm not only to some local broadcasters, but also to millions of cable customers who may not understand why their favorite local station is not available after the end of analog broadcasting.

We will fully support the FCC's defense of its pro-consumer viewability rules. I look forward to speaking with you about ways the NAB can aid your efforts.

Best wishes.

Sincerely,

A handwritten signature in black ink that reads "David K. Rehr". The signature is written in a cursive, flowing style.

David K. Rehr