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Obama Seeks to Delay DTV Transition

President-elect Barack Obama's transition team sent a letter to lawmakers on January 8, 2009, requesting Congress to "reconsider and extend" the DTV Transition date beyond February 17, 2009. The letter notes that major difficulties in the DTV Transition have been discovered, including insufficient funding to meet demand for coupons for digital converter boxes. Current FCC Chairman Kevin Martin expressed his concern that extending the cutoff would confuse consumers and proposed that Congress not extend the cutoff date but instead act quickly to fund the converter box coupon program. By terminating analog television broadcasts on February 17, 2009, the DTV transition freed up spectrum in the 700 MHz band that the Commission sold at an auction last year, raising nearly \$20 billion. Delaying the DTV transition could be a significant setback for these auction winners.

FCC Commissioners Reduced to Four

Deborah Taylor Tate's term as an FCC Commissioner expired on January 5, 2009, leaving the Commission with only four Commissioners (two Democrats and two Republicans). Tate, the former chair of the Tennessee Regulatory Authority, was nominated to the FCC by President Bush in November 2005 and confirmed by the Senate. Tate was renominated to a full five-year term in 2007, but the Senate did not act upon her nomination. Because Tate was not confirmed by the Senate to serve a full term, her appointment expired with the arrival of the 111th Congress on January 5, 2009. Chairman Martin also is widely expected to resign prior to January 20, leaving President-elect Obama with two FCC vacancies to fill.

Enforcement Bureau Provides Guidance on CPNI Certification Filings

The Enforcement Bureau recently released a Public Notice, available [here](#), providing guidance on the suggested format and procedures for annual Customer Proprietary Network Information ("CPNI") Certification filings. CPNI Certifications must be filed by March 1, 2009. Please contact Tracy Marshall (marshall@khlaw.com) with any questions.

FCC to Hold Open Commission Meeting on January 15, 2009

The FCC is scheduled to hold its next Open Meeting on January 15, 2009. The tentative agenda, available [here](#), includes consideration of (i) a Report and Order to implement the Short-term Analog Flash and Emergency Readiness Act; and (ii) annual performance awards for Senior Executives.

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