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## Congress Delays Digital Television Switch to June 12, 2009

On February 4, 2009, the House of Representatives agreed to delay the deadline from February 17, 2009, to June 12, 2009, for full power television stations to convert from analog to digital broadcasts. A principal reason Congress delayed the transition is because the Commerce Department, which administers the \$1.5-billion program to send coupons worth \$40 toward the purchase of a digital converter box, ran out of money leaving about 3.2 million consumers on a waiting list for converter box coupons. On January 26, 2009, the U.S. Senate passed a bill to delay the DTV transition by four months, but the House failed to pass a similar bill two days later ([Vol VI, Issue 4](#)). The Senate reintroduced essentially identical legislation shortly thereafter and the House approved the delay last week. The House allocated \$650 million in additional funding to the converter box program as part of its stimulus bill passed last month. Senate approval of the stimulus bill is expected later this week. President Obama is expected to sign the extension.

## GOP Senators Recommend Pai as Next Republican Commissioner

Twelve Republican senators wrote Senate Minority Leader Mitch McConnell recommending FCC Deputy General Counsel Ajit Pai be named the next Republican commissioner, replacing Deborah Taylor Tate, whose term expired on January 5, 2009 ([Vol VI, Issue 2](#)). Pai graduated from the University of Chicago Law School and served as Chief Counsel for the U.S. Senate Judiciary Committee's Subcommittee on the Constitution before joining the FCC. The Commission's rules allow only three of the five Commissioners to be members of the same political party. Interim Chairman Michael Copps, Commissioner Jonathan Adelstein and Julius Genachowski, who is expected to be President Obama's nominee to serve as Chairman ([Vol VI, Issue 3](#)), are Democrats. President Obama must formally nominate a Republican to replace Tate, but traditionally Presidents have relied on recommendations of the opposing party's congressional leadership in selecting nominees from the other political party.

## FCC Amends Schedule of Application Processing Fees

Effective February 18, 2009, the FCC application processing fees for some radio services will increase. Microwave, Marine Coast, and Aviation radio services are among those that are subject to the increase. For additional information on this matter, please contact our Telecommunications Licensing Manager, Elizabeth Buckley, at 202-434-4282; [buckley@khlaw.com](mailto:buckley@khlaw.com).

## Commission to Solicit Advice on the Future of the 700 MHz D Block

Last week, interim FCC Chairman Michael Copps said the Commission will seek advice on licensing the 700 MHz D Block in the coming weeks with the goal of making a recommendation on the future of the D Block to the new Chairman this spring. At auction last year, the 700 MHz D Block attracted only a single bid of \$472 million – well below the \$1.33 billion reserve amount – because the winner was required to share the spectrum with a public safety communications system made available to the nation's emergency service providers. Interim Commissioner Copps noted that the current state of the economy raises questions about whether the public-private partnership is still workable.

## For further information or assistance regarding these matters, please contact any of the following Keller and Heckman LLP Telecommunications or Business Attorneys:

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