

Digital Television Conversion Update

February 11, 2009

In our [January 22, 2009 Alert](#), we reported that efforts were underway to extend the date for cessation of analog television broadcasting, the deadline for which was February 17. At the same time, we noted that Congress had under consideration steps to address funding and technical problems with the government's voucher program for set-top box purchases.

Congress has acted, and President Obama is expected to sign into law, a measure that extends the analog cut-off date to June 12, 2009, and makes other repairs to the voucher program. Stations may elect to convert to digital broadcasting before June 12 subject to compliance with notice and approval procedures prescribed by the Federal Communications Commission (FCC). In fact, many stations have requested permission to go digital as of February 17. However, the FCC will review such requests on a case-by-case basis. Provisions addressing the voucher program are contingent on passage of additional funding authority, which is working its way through Congress.

Enactment of the digital television (DTV) legislation may put to rest uncertainties regarding the DTV deadline. What remains to be seen is whether the postponement, which would not have been necessary had timely legislation been passed to address the voucher program issues, will cause public confusion. Surveys have shown that all but about three percent of the population are aware of the February 17 date. It is unclear whether re-education as to a new date will be as effective. However, with a backlog of over three million households seeking set-top box coupons, an extension at this late date is necessary in order to process the requests and minimize disruption to viewers not yet equipped to make the transition.

For Further Information

If you have any questions regarding this topic or would like more information, please contact [William K. Keane](#), [Richard Keck](#), any [member](#) of the [Information Technologies and Telecom Practice Group](#) or the attorney in the firm with whom you are regularly in contact.