

Testimony of John Kittleman,
General Manager, KRGV-TV, Weslaco, Texas,
Before The Subcommittee on Telecommunications and the Internet
of the House Committee on Energy and Commerce
Status of The DTV Transition: 154 Days and Counting
September 16, 2008

Chairman Markey, members of the Subcommittee on Telecommunications and the Internet.

Thank you for allowing me to testify today in opposition to HR 5435, the “Border Fix Act”. My name is John Kittleman, General Manager of KRGV-TV, the ABC affiliate serving the Weslaco, Harlingen, Brownsville, and McAllen area of deep South Texas.

America’s transition to Digital Television is a major undertaking for government, broadcasters and the public. As a broadcaster, I am very appreciative of the time and effort Congress is dedicating to this unprecedented endeavor, and thank you for your continuing commitment to making this transition as smooth as possible.

A key component of a smooth transition, however, is coordination among the parties to ensure that public confusion is minimized. Congress recognized this when it changed the law governing the digital transition from one which would

have permitted individual television markets across the country to transition at various times spread over the course of years, to the current law, which sets a single nationwide deadline of February 17, 2009 for the termination of analog broadcasts.

Unfortunately, HR 5435 threatens to undermine the effectiveness of a unified national transition date by permitting stations in border markets to delay the transition for as long as five years, creating tremendous public confusion.

Now is the time for all of the US broadcasting industry to bring our viewers the benefits of advanced television services. Now is not the time to delay the transition for our border markets.

Converter box coupons are easily acquired on the phone and on line. Converter boxes are widely available in stores, over the phone and on line. Analog pass through converter boxes are widely available and will allow border residents to benefit from advanced US digital services as well as to continue reception of analog signals from Mexico.

An unprecedented national and local education effort is underway and will grow substantially as we draw closer to the transition date.

As broadcasters serving communities along the US-Mexico border, we understand fully the challenge before us. We have a high percentage of over the air

homes. We serve Spanish speaking residents, low income residents, and the elderly – we understand that our markets represent a real challenge on many fronts.

However, I would ask you to consider the following:

Imagine the challenge for border markets – On our own -- to transition to digital in five years:

- * No government subsidy program to help defray the cost of converter boxes;
- * National manufacturers and retailers unlikely to produce and sell converter boxes for the border residents who have not transitioned;
- * No national education program supporting local broadcaster efforts; and
- * No unified local education effort, as stations convert to digital piecemeal over a five year period.

Attached to my written testimony today for inclusion in the record is a letter written by eleven border market broadcasters from Brownsville, Texas to San Diego, California acknowledging these and similar concerns in opposing HR 5435.

Also of concern is the impact on educational broadcasters such as our local PBS affiliate KMBH. I spoke with Mr. Pedro Briseno, General Manager of KMBH, last week. KMBH must vacate its analog frequency (channel 60) because the FCC has auctioned that spectrum for non-broadcast use. In addition, he

indicated that he cannot afford to continue to maintain both analog and digital service, and explained the difficulty of obtaining replacement analog parts as our country moves to the digital platform. Indeed, under the Border Fix Act, the date of a station's transition to digital will not be governed by a carefully choreographed public education campaign, but by the date that station's analog equipment fails and is too expensive to repair. Despite its analog difficulties, KMBH is well positioned to embrace the digital future. The station's digital line up is as follows:

38.1 PBS English

38.2 PBS Spanish

38.3 EWTN English

38.4 EWTN Spanish

Imagine the educational opportunities for our market that will be lost if our viewers wait five more years to transition to digital.

Attached to my written testimony today for inclusion in the record is a letter written by four border market PBS stations from Harlingen, Texas to San Diego, California stating opposition to HR 5435. Congress has asked broadcasters to convert their stations to digital and our stations along the US-Mexico border have risen to that challenge. We have spent millions of dollars to be digital ready on February 17, 2009. Many of us offer multiple digital channels including local

weather channels and targeted entertainment formats to better serve our communities and to fulfill the promise of enhanced digital technologies.

In today's difficult financial environment, should Congress now add the significant financial burden to border broadcasters of continuing analog broadcasting operations for an additional five years or finding themselves at a competitive disadvantage against those that do?

I would ask proponents of the bill – what will change in five years to make this transition any easier? We will still face the challenges associated with serving Spanish speaking residents, low income residents, and the elderly.

What will change is that we will not have government converter box subsidies and support. We will not have manufacturer and retailer support. And we will not have a massive, nationwide education effort. Border broadcasters will be left on their own with the massive task of educating and equipping an unknown number of analog only consumers.

We ask Congress to help our border markets rise to the digital challenge before us by assuring:

- * An abundant supply of coupons;
- * A sufficient supply of converter boxes (particularly the analog pass through models which will allow US consumers to receive advanced

US digital signals along with analog signals from Mexico and low power US stations and translators); and

* Education efforts that continue to provide a simple, clear, unified message to the public that the transition is happening.

Once again, thank you for your leadership in the transition to digital television and for your consideration of these important concerns.