



# News Corporation

10201 WEST PICO BLVD., BLDG. 100, RM. 5080 • LOS ANGELES, CA 90035 • 310-369-3986 • FAX 310-369-2105

**PETER CHERNIN**  
PRESIDENT AND  
CHIEF OPERATING OFFICER

November 14, 2008

The Honorable John D. Dingell  
Chairman  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515-6115

The Honorable Edward J. Markey  
Chairman  
Subcommittee on Telecommunications and the Internet  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515-6115

Dear Chairmen Dingell and Markey:

Thank you for your continuing leadership as the nation prepares for the digital television transition. Our Fox owned and operated stations (“Fox O&Os”)<sup>1</sup> are committed to educating our viewers and your constituents about the transition to ensure that they are prepared at midnight on February 18<sup>th</sup>. Based on both the results of the Wilmington DTV test and the local market analog shut-off tests, we have adjusted and increased our education efforts with a major focus on “how to” messages, including how to rescan converter boxes and how to choose an antenna.

In June, anticipating some of the signal contour problems illuminated during the Wilmington DTV test, we filed maximization applications at the Federal Communications Commission (“FCC” or the “Commission”) for every Fox O&O that could not maximize previously due to pre-transition interference levels and international coordination issues. This included applications for twenty of our twenty-seven Fox O&Os.

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<sup>1</sup> The Fox O&Os include twenty-seven full-power stations and one satellite station in the following markets: Atlanta (WAGA), Austin (KTBC), Baltimore (WUTB), Boston (WFXT), Chicago (WFLD and WPWR), Dallas (KDFW and KDFI), Detroit (WJBK), Gainesville (WOGX), Houston (KRIV and KTXH), Los Angeles (KTTV and KCOP), Memphis (WHBQ), Minneapolis (KMSP and WFTC with its satellite station, KFTC), New York/new Jersey (WNYW and WWOR), Orlando (WOFL and WRBW), Philadelphia (WTFX), Phoenix (KSAZ and KUTP), Tampa (WTVT) and Washington, DC (WTTG and WDCA).

With fewer than 100 days until February 17<sup>th</sup>, we believe that most of the remaining issues are better addressed with a message tailored to the specifics of a local market. Note our local focus in the answers to your specific questions outlined below.

Although one of the primary positive lessons from the Wilmington DTV test is that the national and local awareness campaigns are working, we do not believe any viewer should be left behind. Therefore, Fox's Diversity Development Group has engaged in an extensive effort to reach out to and educate groups identified by the FCC as being at highest risk of being negatively impacted by the digital transition: specifically, multicultural communities, seniors, tribal communities, non-English speaking, and other socially and economically disadvantaged groups. These outreach initiatives include education regarding the antenna and scanning issues. Additional information about the Fox Diversity initiatives is included after the answers to your specific questions.

The Fox O&Os will continue to participate in analog shut-off tests, including the upcoming Boston DTV Day. As Chairman Markey knows, WFXT, one of our Fox O&Os, along with other Boston stations will conduct a unique all-day test directing viewers to a noncommercial station to test each of their TV sets for readiness. We believe this will be particularly helpful to viewers with multiple sets and to the elderly or handicapped who may need to ask a relative or friend for assistance. Similarly, the Detroit market is considering multiple Tuesday tests allowing viewers to work from one week to the next to solve problems.

#### Rescanning Converter Boxes

*What are your stations doing, or what, specifically, do they intend to do to let viewers, including viewers without ready access to the Internet, know that they need to rescan their digital-to-analog converter boxes after February 17, 2009?*

Nine of the Fox O&Os, including both of our stations in Los Angeles, have different pre- and post-transition channel assignments. In those markets, our viewers must rescan their digital-to-analog converter boxes on February 18<sup>th</sup> to receive our stations and any others changing channels. Our current public service announcements ("PSAs") inform viewers that rescanning will be required, but the rescanning message will become more urgent and specific immediately following the holiday season. It is critical that we inform our viewers, but we do not want to confuse them by telling them to rescan too early.

All of the Fox O&Os, whether they are changing channels or not, will air PSAs and will feature longer segments in newscasts and other local programming emphasizing the rescanning message. Examples of other specific efforts in those markets where a Fox O&O is changing channels include the following:

- In Austin, our chief engineer will appear on our “Good Day Austin” show once a week with a call-in segment related to the transition. KTBC will promote its change from Channel 56 to Channel 7, demonstrate to our viewers how to rescan their boxes, and answer questions about which antennas work best in the Austin area. KTBC also will utilize its relationship with local radio stations to promote the rescanning issue.
- WJBK in Detroit is moving from Channel 58 to Channel 7 on February 18<sup>th</sup>. At every community outreach event until February 17<sup>th</sup>, WJBK personnel will bring a converter box and a DTV antenna to show viewers how to rescan and select the correct antenna. Beginning on January 19<sup>th</sup>, WJBK will include an “ask the experts” phone bank during its morning show and will air a one-hour special on February 17<sup>th</sup> with a phone bank to answer viewer questions. After February 17<sup>th</sup>, if Congress passes the needed legislation, WJBK has volunteered to operate its current analog Channel 2 transmitter for thirty-days as a Detroit community billboard to address rescanning, antenna and signal contour issues.
- KRIV in Houston migrates from Channel 27 to Channel 26 on February 18<sup>th</sup> and will begin airing regularly scheduled half-hour programs addressing this issue and others on November 28<sup>th</sup>. After Christmas Day, KRIV will devote one segment in every newscast to DTV readiness.
- In Los Angeles, where both KTTV and KCOP are changing channels, the stations believe our newscasts are the best means to reach non-Internet savvy individuals. Beginning in January through the transition, every newscast will feature a segment addressing both the rescanning and antenna issues.
- In mid-December, WHBQ in Memphis will conduct live phone banks once per week during Good Morning Memphis, Fox13 News Midday (11 am) and Fox13 News at 5 pm. WHBQ is also producing a local 15 minute special that can be broadcast and webcast multiple times as needed up until the transition date.
- Both KMSP and WFTC in the Minneapolis market will be changing channels. During the third quarter, each station aired a DTV special 13 times and will continue to air the special frequently. The stations are planning a phone bank to run concurrently with additional airings of the special. KMSP and WFTC are targeting PSAs to reach older over-the-air viewers and are leading an effort to have Minneapolis broadcasters consider a Digital Day similar to the one being planned in Boston.
- KSAZ in Phoenix will rotate rescanning messages with other DTV information in vignettes during every news time period (am, 12 pm, 5 pm, 9 pm, 10 pm) at least once a week through December, twice per week during January and daily during February.

All Fox O&Os will continue to include information on rescanning on our station websites. Our plans are not stagnant. We will adapt our individual messages as we learn from on-going analog shut-off tests.

Antenna Issues

*If a viewer cannot receive certain local digital signals using a digital-to-analog converter box, how is that viewer supposed to determine that she needs to obtain a new antenna or adjust an existing antenna to correct a problem?*

*What are your stations doing, or what, specifically, do they intend to do to let viewers, including viewers without ready access to the Internet, know that they may need to obtain a new antenna or adjust an existing antenna to receive over-the-air signals after February 17, 2009?*

Fortunately, digital antenna questions are not new to the Fox O&Os. We have been answering these questions since our first digital station launched over a decade ago. Our engineers are very familiar with which antennas work well in which areas of our local communities, so our on-air messages can and will be very specific. We anticipate that many of the calls we receive during our upcoming phone banks will be questions about antennas based on a particular viewer's location within the market.

Most of our station websites have links to [www.antennaweb.org](http://www.antennaweb.org), developed by TitanTV, which allows a viewer to input his/her address for specific antenna recommendations. In December, KRIV in Houston will launch "DTV Personal Virtual Advisory" on its website allowing consumers to test their DTV readiness and to offer advice and answers based on a consumer's personal circumstances, including the type of antenna needed. In Tampa, WTVT's engineering department has experimented with antennas, portable DTV receivers, USB receivers for computers and converter boxes, so we can be better prepared to answer our viewers' questions. Much of this information is featured on Mike's DTV Blog. Mike is Mike Howey, WTVT's Vice President of Engineering.

For our non-Internet savvy viewers, antenna information will be included in our local programming along with the previously mentioned rescanning information and will be featured in our longer DTV specials between now and February 17<sup>th</sup>. In New York and New Jersey, WNYW and WWOR plan to solicit viewer's real-world problems and then send a team out to the viewer's home to solve the problems. These will be taped and turned into news pieces to air during our newscasts. In Dallas, KDFW and KDFI are producing "DTV Survivors Guide," a thirty-minute program to address the issues unique to the Dallas-Fort Worth market and are developing a plan to distribute the DVD during event remotes and the January 1<sup>st</sup> Comerica New Year's Parade in downtown Dallas.

But no matter what else we do, we continue to believe that featuring antenna, rescanning and other information in local newscasts is the best way to reach our viewers. That is why beginning the week of January 5<sup>th</sup> as Washington, DC's population increases as Congress reconvenes, WTTG will be airing one DTV feature in each of our newscasts, including Fox 5 Morning News from 5-9 am, Fox 5 Midday News from 11-12 noon, Fox 5 News @ 5 from 5-6 pm and Fox 5 News @ 10 from 10-11 pm.

Finally, many of our stations are providing local antenna information sheets at community events.

### Signal Contour Issues

*In Wilmington, 735 of 2,272 calls – one-third of all calls received about the test transition – related to loss of one station's signal due to a significant difference between the signal's analog service area and its digital service area. Many stations' digital signal coverage areas will differ from or be smaller than their analog service areas because they cannot immediately maximize their digital signals, they are changing from a multidirectional to a unidirectional antenna, or the new digital service area does not exactly replicate their current analog service area, or for other reasons.*

*How many of your stations have digital signal coverage areas that are smaller than their analog signal coverage areas? For those stations, please identify each station and its market and detail the amount of service coverage loss as a percentage of households in the station's current analog service area.*

Eight. Based on the current licensed facilities or granted construction permits, eight of the Fox O&Os digital coverage areas are smaller than their analog coverage areas. The commonality among five of these stations is their move from a VHF analog channel to a UHF channel. If the Commission grants our pending maximized applications, three of the eight will experience net gains instead of losses. The stations and markets affected are:

- WAGA Atlanta with a 1.86% TV household reduction (already maximized, but a VHF to UHF power issue)
- KDFW Dallas with a 4.25% TV household reduction (will be maximized on February 18<sup>th</sup>, but again a VHF to UHF power issue)
- WJBK Detroit with a 6.07% TV household reduction if its maximization application is not granted and a 4.72% reduction if the maximization application is granted (WJBK modified its power request to comply with a Canadian coordination issue; also moving from a low VHF to a high VHF channel)
- WNYW New York with a 0.86% TV household reduction when its maximized construction permit is built-out (another VHF to UHF power issue)

- WWOR New Jersey with a 1.8% TV household reduction if its maximization application is not granted and a 2.38% gain if it is (another VHF to UHF power issue)
- WTXF Philadelphia with a 0.2% TV household reduction if its maximization application is not granted and a 5.03% gain if it is
- KSAZ Phoenix with a 0.79% TV household reduction if its maximization application is not granted and a 1.38% gain if it is
- WTTG Washington, DC with a 7.28% TV household reduction (already maximized, but another low VHF to UHF issue and tower height restrictions in the District of Columbia)

*How many of your stations will have digital coverage areas that do not exactly replicate their analog service areas and will result in more than two percent of existing households not being able to receive the new digital signal? For those stations, please identify each station and its market and the amount of service coverage loss as a percentage of households in the station's current analog service areas. Please also indicate if such station will gain households in its digital service area not currently reached by its analog service.*

Four. In addition to the three stations noted above with analog loss percentages greater than two percent, WUTB in Baltimore will not reach 3.75% of its current analog population in the southern part of its coverage area, but will gain 5.53% new TV households based on its current authorized facility. WUTB's maximization application is pending at the Commission. If it is granted, those numbers change to a 2.01% analog loss and a 7.61% digital gain.

*If a viewer cannot receive certain local digital signals using a digital-to-analog converter box, how is that viewer suppose to determine that this is because the station's digital signal contour is smaller or coverage in certain area is weaker than its analog signal contour and coverage strength? In other words, how will the viewer know that she resides within the analog signal contour, but outside the digital signal contour?*

*What are your stations whose digital signal coverage areas are smaller than their analog signal coverage areas doing, or what, specifically, do they intend to do to let affected viewers, including affected viewers without ready access to the Internet, know that they should expect to lose a particular station's signal after the DTV transition because the station's digital signal contour is smaller than its analog signal contour?*

Answering this question is extremely difficult because all of the numbers cited previously are based upon predictive modeling. A station can review its contour maps and begin to communicate specifically to those areas via on-air messages and other media, including its own website, but the contour maps do not identify atmospheric, artificial (e.g. tall

buildings) or topographic problems, making it difficult to identify why an individual viewer may not be receiving a digital signal. The Fox O&Os identified above will continue to find ways to speak directly to those groups on-air and off prior to February 17<sup>th</sup>. Fortunately, many of these viewers are outside our Designated Market Areas and have access to another network affiliate. For example, WUTB Baltimore's loss will be a gain for WDCA in Washington, DC.

#### Phased Transition Note

Due to the channel changes referenced in an earlier question and top-mount/side-mount antenna issues at WFXT in Boston and WTXF in Philadelphia, some of our Fox O&Os are utilizing the Commission's so-called phased transition rules which allow a station to operate at a reduced power for a limited period of time post-transition due to a unique technical challenge. Viewer notifications are required to ensure that viewers are aware of the short-term nature of the reception problem.

#### Additional Information on Fox's Diversity Initiative

The Diversity Development Group has to date reached out to over 165 advocacy groups, ranging from the AARP and the Asian American Justice Center to the Hispanic Federation, the Native American Media and Technology Network, and UNITY: Journalists of Color (a comprehensive list of organizations contacted is attached). The Diversity Development Group has also sponsored and/or participated in more than 25 events and conferences where materials regarding the DTV transition were distributed.

Each organization is provided with a DTV toolkit that can be reproduced and distributed to members of their organization, and includes the following:

- DTV One Sheet and FAQ (including translated versions in Spanish, Chinese, Korean and Tagalog)
- Converter box coupon application and instructions
- Sample articles for use in organizations' newsletters
- Sample press releases
- Sample radio announcements
- Sample website banners

We are currently in the process of distributing instructional DVDs explaining, among other things, the antenna and rescanning issues, to each of these organizations. Copies of these materials are available upon request.

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The Diversity Development Group continues to follow-up with many of these organizations regularly to update them on new developments, track the progress of their outreach, and provide additional assistance as needed.

Please let me know if you need any other information. I hope that our response is useful.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter Chernin". The signature is fluid and cursive, with a large initial "P" and a long, sweeping underline.

Peter Chernin

Enclosure

cc. The Honorable Joe Barton, Ranking Member  
Committee on Energy and Commerce

The Honorable Cliff Stearns, Ranking Member  
Subcommittee on Telecommunications and the Internet