



# U.S. PIRG

Gulf States Field Office  
U.S. Public Interest Research Group  
8710 Oak Street  
New Orleans, LA 70118  
504.314.0773 cell 504.259.7664  
[www.uspirg.org/gulf](http://www.uspirg.org/gulf) southgulf@pirg.org

August 28, 2002

The Honorable Billy Tauzin  
United States House of Representatives  
Washington, DC 20510

Dear Chairman Tauzin:

On behalf of U.S. PIRG's Gulf States Office and the hundreds of consumers that we represent throughout Louisiana, I am writing to express our deep concerns about the direction the Federal Communication Commission is moving with respect to digital television (DTV) policy. Our organization supports the FCC's aim of a timely and orderly transition to digital TV, so that all Americans have access to this "next generation" technology. However, we cannot, and will not, support proposals such as those being put forward by the Commission that would seriously damage the interests of consumers, or undermine their rights.

On August 9, the FCC set out on a new and completely unjustified path that will punish consumers in a futile attempt to speed the transition.

- It proposes to raise the price of TV sets for consumers by forcing all sets to have over-the-air digital tuners, in spite of the fact that over 85 percent of all households subscribe to cable or satellite (i.e. do not rely on over the air signals). All sides agree that current costs to consumers are approximately \$200. Estimates for long-range costs are all over the map.
- At the same time it is proposing to reduce the functionality of digital display devices by including a "broadcast flag that restricts the consumer's ability to record and play back content that comes into their homes.

In 1996, Congressional policy recognized that broadcasters should fulfill their obligation to provide digital programming in return for the gift of over \$70 Billion in spectrum that was given to them free of charge. At that time, Congress also recognized that cable operators must be required to create open set-top box standards that will ensure that digital cable systems will be compatible with digital television receivers.

Congress understood that digital programming compatible with all distribution mechanisms would drive the transition to digital TV. Since then the industry and the FCC have frittered away more than five years and little progress has been made. Broadcasters have dragged their feet on producing digital programming and enhanced services while cable operators continue to insist on use of proprietary technologies that limit consumer choice and increase costs.

We are certain that making the consumer pay more for less is not the kind of transition the Congress had in mind. We understand that Congress will soon introduce legislation dealing with a range of DTV issues. We urge you to stand up for consumer rights when considering this legislation. Moreover, we urge you to send a strong message to the FCC that consumer interests are not being considered in policy making that deals with a ubiquitous consumer good—the television.

Rather than focus on anti-consumer policies like the tuner mandate and broadcast flag, Congress and the FCC can undertake policies that will create a comprehensive and consumer friendly solution to the stalled digital transition. We suggest that Congress and the FCC:

- Ensure carriage for digital programming (digital must carry rules)
- Ensure open and competitive set-top boxes for cable distribution of digital programming (open set top box standards)
- Ensure compatibility and interoperability for all distribution devices (plug and play)
- Create programs that target only those limited communities requiring digital tuners with broadcasters subsidizing the cost.

We hope that you will do everything in your power to persuade the FCC to reconsider its current anti-consumer policy direction. In particular, we urge you to do everything you can to reverse the recent decision on digital tuners, and open the debate about digital copyright and the “broadcast flag” up to include consumer voices.

We look forward to working with you on these important issues now and in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Viles", is written over a vertical line that extends from the top of the signature down to the printed name below.

Aaron Viles

Louisiana Organizer  
U.S. Public Interest Research Group