

Congress of the United States
Washington, DC 20515

December 19, 2009

The Honorable Kevin J. Martin
Chairman, Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Mr. Chairman:

I am writing with respect to the digital television (DTV) transition. As you know, we are now less than two months away from the February 17, 2009 switchover and I remain concerned about whether aspects of the transition are adequately funded, including the TV Converter Box Coupon Program (the "Program").

You wrote previously raising similar concerns to my own about funding for the Program and I trust your concerns remain. Please provide me with any additional views you may have on the adequacy of current funding for the Program given the Commission's experience in Wilmington, N.C. and the recent national "soft test" shut-off.

In addition, it is apparent from such tests, including one in my home market of Boston, that consumer confusion about aspects of the transition remain. During such tests, consumers raised many issues including eligibility for re-applying for expired coupons, lost coupons, antenna issues, potential signal coverage loss, and questions about how to properly install the converter box or antenna. It also appears that the volume of consumer calls to established call centers was quite high. Indeed, the lack of adequate call center capability on a national basis looms as a potentially major issue going into February 17, 2009.

Given the fact that the transition date is fast approaching and that when Congress reconvenes in January it will have little time to act to bolster funding for consumer education and consumer protection initiatives, I am eager to obtain your responses to the following questions. I respectfully request your responses by no later than close of business on December 23, 2008.

- 1) Do you believe the DTV transition is on track for a successful switchover on February 17, 2009? If so, what are your metrics for determining "success"? Please provide a detailed explanation of these metrics.
- 2) Do you continue to believe that funding for the TV Converter Box Coupon Program may be insufficient to meet demand? Please explain.

- 3) Please indicate specifically how you intend to spend the remaining money appropriated to the FCC for consumer education efforts between now and February 17, 2009. Please provide an explanation of the assumptions upon which these allocations are based.
- 4) Please indicate specifically the amount of Commission funding for call center operations, specifying funds allocated to training of call center agents and new equipment as well as any outsourced hiring of agents.
- 5) Please detail the amount of calls from consumers such funding will be capable of handling. Include as well the assumptions you make for call duration, expected surges in call volume, number of operators handling such calls, the training time required for such operators, and the total number of calls that could be handled in a single day. Please relate and compare these assumptions to the Wilmington switchover test.
- 6) Do you believe the Commission's efforts alone in this area are sufficient for the volume of consumer calls anticipated nationally?
- 7) Do you believe that pledged private sector efforts will be adequate to handle any shortfall in the Commission's call center effort? If not, please indicate any contingency plan the Commission may have to address the shortfall in call center capability not met by the Commission's current effort or the voluntary pledges from the private sector.
- 8) Do you believe more money should be appropriated by Congress to the FCC for additional call center operations to deal with the volume of calls expected nationally? If so, please indicate how much money you believe is necessary and detail any assumptions you make in determining this amount.
- 9) Please detail the plans the FCC has for hands-on field assistance to consumers in connection with the transition, including funds to be spent, training to be provided, and technical assistance to be made available.
- 10) Do you believe more money should be appropriated by Congress to the FCC for additional consumer education efforts other than call center capability? If so, please detail what such efforts are and how much money would be necessary.
- 11) Please provide any other recommendations you may have to ensure a successful DTV transition.

Thank you in advance for your time and attention in responding to this request.

Sincerely,



Edward J. Markey
Chairman, House Subcommittee on
Telecommunications and the Internet