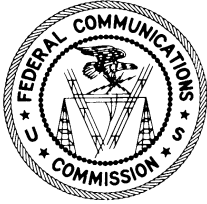


FEDERAL COMMUNICATIONS COMMISSION



INFORMATION SHEET

October 2006

Television Broadcast Channels on Satellite

1. Can I receive television broadcast channels on my satellite system?

There are different ways in which satellite subscribers can get television broadcast channels and your ability to receive a particular station primarily depends on several factors that are governed by legislation enacted in 1999 and in 2004. Both the Satellite Home Viewer Improvement Act of 1999 (“SHVIA” or “1999 statute”) and the Satellite Home Viewer Extension and Reauthorization Act of 2004 (“SHVERA” or “2004 statute”) affect the manner in which satellite television subscribers can receive television broadcast signals via satellite. SHVIA permits satellite companies to provide local broadcast TV signals to subscribers who reside in the local TV station’s market, commonly referred to as "local-into-local" service. SHVIA also permits satellite companies to provide "distant" network broadcast stations to eligible satellite subscribers. SHVERA modifies SHVIA primarily with respect to the way in which “distant” television station signals can be offered to satellite television subscribers. SHVERA also expands the programming available to subscribers by allowing satellite companies to offer certain “significantly viewed” distant signals.

2. How can I get my local television broadcast channels if I am a satellite subscriber?

You can install a TV broadcast antenna in conjunction with your satellite antenna so that you can receive your local broadcast TV stations over-the-air. This option is available whether or not your satellite service provides local broadcast signals in your area but does depend on whether an over-the-air antenna is able to receive terrestrial broadcast stations at your geographic location. Television stations received over-the-air using an indoor or outdoor TV antenna are not part of the satellite service and there is no charge for receiving them.

In addition, satellite companies may provide satellite delivered local television stations (“*local-into-local*” service) within a particular designated market area (DMA) to subscribers in that DMA, and satellite carriers may charge for this service. DMAs are determined by Nielsen Media Research and are based primarily on its measurement of local viewing patterns. Your county is included in a particular DMA and that determines the local stations the satellite company may offer you. Neither the FCC nor the satellite company plays any part in determining which counties are included in particular DMAs. A satellite company has the option of providing local-into-local service, but is not required to do so. As of January 2006, the two largest satellite companies provide local-into-local service in 133 and 160 markets respectively in the United States. A satellite company that elects to provide local-into-local service is required to provide subscribers with all of the local broadcast TV signals that are assigned to that DMA that ask to be carried on the satellite system and are otherwise eligible. However, a satellite company is not required to carry more than one local broadcast TV station within the DMA that is affiliated with a particular TV network in the same state. Subscribers should contact their satellite company to determine which DMA applies to them and whether and when local-into-local service will be available in their specific DMA.

3. Can I get television broadcast signals from stations outside of my television market (also known as “distant signals”)?

A "distant signal" is one that originates outside of a satellite subscriber's local television market, the DMA. In addition to stations in their DMA, satellite subscribers who receive local-into-local service may, under certain circumstances, receive individual stations from markets outside their DMA that are deemed “significantly viewed” in their community. It is up to the satellite carrier whether or not to offer significantly viewed stations and a subscriber must be subscribing to local-into-local service in his or her DMA to be eligible to receive significantly viewed stations. The determination of whether or not a station is significantly viewed in a community depends on several statutory factors. Your satellite carrier can tell you whether a station is on the significantly viewed list and if it intends to offer the station. Stations may be added to the list if a station or a satellite carrier demonstrates the existence of required statutory factors to the FCC. In certain states (Oregon, Mississippi, New Hampshire, and Vermont), additional television stations outside the DMA may be offered by your satellite carrier. The FCC has posted the list of stations that are eligible for carriage as significantly viewed signals and the communities in which they are significantly viewed. See http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-187A2.doc. You may ask your satellite carrier if it plans to offer any of these stations to you.

You also may be eligible to receive distant signals because you reside in an “unserved household.” If your satellite carrier does not offer local-into-local service in your market and if you cannot receive broadcast stations over-the-air, you may be considered an “unserved household.” The term "unserved household" means a household that: (a) cannot receive, through the use of a conventional, stationary, outdoor rooftop antenna, an over-the-air network signal of Grade B intensity as defined by the FCC; (b) is a subscriber whose dish is **permanently** attached to a recreational vehicle or a commercial truck (see question 11); (c) is a subscriber to whom the C-band exemption applies (see question 12); or (d) is subject to a waiver granted by the television network station. As an unserved household, you would be eligible to receive no more than two distant network affiliated signals per day for each TV network. For example, if the

household is "unserved," the household could receive no more than two *ABC* stations, no more than two *NBC* stations, etc. The Grade B signal intensity is an FCC-defined measurement of the strength of a television station's signal received at a specific location. Generally, a Grade B signal will provide a television picture that is "acceptable" for viewing.

4. How do I know if my household is "unserved" with respect to analog signals?

The FCC created a computer model for satellite companies and television stations to use to predict whether a household is served or unserved with respect to analog signals. Congress incorporated this model into SHVIA in 1999. This computer model takes into account terrain, building structures, and land cover variations when determining whether a household is served or unserved. The satellite company, distributor, or retailer from whom you obtained your satellite system and programming should be able to tell you whether the model predicts that you are "served" or "unserved." (The FCC does not provide these predictions.) If you are "unserved", you may be eligible to receive distant network station signals. If you are "served", you are not eligible to receive such signals unless the station(s) predicted to serve you agree to grant a "waiver." Ask your satellite carrier about how to request a waiver.

5. If I am currently receiving distant analog television signals can I continue to do so?

The 2004 SHVERA statute changed some of the rules for distant signal eligibility. There are four ways in which most satellite subscribers are eligible to receive distant signals, and the way in which you are eligible determines your continued ability to receive these signals.

a) A subscriber who received distant signals as of December 8, 2004 because he or she resides in an unserved household may also receive local stations if the satellite carrier is currently offering them in the subscriber's market or if the satellite carrier introduces new local-into-local service in the future. However, a subscriber who did not receive or try to receive distant signals as of December 8, 2004, is not eligible for distant service if local channels are offered. As with local signals, the satellite company determines whether to provide distant signals to eligible subscribers and which distant signals will be offered. Satellite companies also may charge an additional fee for these distant signals.

b) Alternatively, you may be receiving distant analog signals because you are a "*grandfathered subscriber*." Satellite subscribers who are predicted to receive an over-the-air network signal of Grade B intensity but do not receive a signal of Grade A intensity and who had distant service terminated after July 11, 1999 and before October 31, 1999 or who received distant network signals on October 31, 1999 are considered "grandfathered" subscribers. If you are a grandfathered subscriber who, as of October 1, 2004, received distant television signals you may continue to receive the distant signals unless you choose to subscribe to local-into-local service. Grandfathered subscribers should have received a notice from their satellite carrier asking them to choose which service they prefer, but they may not receive both distant and local-into-local service. In markets where the satellite carrier has not yet begun to provide local-into-local signals, grandfathered subscribers may continue to receive distant signals until their satellite carrier notifies them that it plans to begin local-into-local service in their market. Then grandfathered subscribers must choose either distant or local but cannot receive both. If you

would have qualified as a grandfathered subscriber, but you were not receiving the distant signals as of October 1, 2004, you are no longer eligible to receive distant signals.

c) As a third alternative, you may be receiving distant analog signals because you received a waiver from one or more television stations that are predicted to serve your household. If you have such a waiver, you may continue to receive distant analog signals and you also may subscribe to local-into-local service.

d) The fourth alternative applies to subscribers who qualify for the Recreational Vehicle (RV) or commercial truck exception or who subscribe to C-Band service. If you are in one of these categories, as described in questions 11 and 12, your eligibility is not changed by the 2004 SHVERA statute.

6. If I am not currently receiving distant analog signals, can I subscribe to them now?

The answer will depend on whether the satellite carrier makes local-into-local service (local broadcast stations) available in your DMA.

If your satellite carrier offers local-into-local service: If you did not subscribe to distant signals on or before December 8, 2004, you are not eligible for distant signals if your satellite company offers local-into-local service in your television market. You may be able to get a waiver of the “no-distant-where-local” requirement from the local television stations, and you may check with your satellite company to see if this is possible.

If your satellite carrier does not offer local-into-local service in your market: You may be eligible to receive distant analog signals if your household is predicted to be “unserved,” as defined above.

Alternatively, if your household is predicted “served,” you may be able to get a *waiver* from the television stations that are predicted to serve your household over-the-air. You should ask your satellite company to request a waiver from the television station on your behalf. The station has 30 days from the date that it receives the waiver request to either grant or deny the request. If the station does not issue a decision within 30 days, the waiver is considered to be granted and the satellite company may provide the distant signals. The satellite company is not required to provide the distant signals and may choose to wait longer than 30 days before doing so.

If the station denies the waiver, you may request to have a *signal strength test* performed at your household to determine whether the TV station’s signal is at least Grade B intensity. Although the satellite carrier is not required to act on your request, if the carrier accepts your test request, the test should be performed within 30 days after the date that you submit your request. The test must be performed by an independent tester selected by the satellite carrier and the TV station. If the satellite carrier requests the test and the station’s signal exceeds the signal intensity standard, the satellite carrier pays for the test. If the station’s signal is determined not to exceed the signal intensity standard, the station pays for the test. If the satellite carrier does not act on your request for a signal strength test, or fails to respond to you within 30 days, and you reside in a DMA where the satellite carrier does not provide local-into-local service, you may arrange for

the test yourself. You will have to pay for the test no matter what it shows and the price may include the cost for the tester to come to your house. The test must still be conducted by an independent tester that both the network station and the satellite carrier have approved.

7. How can I receive digital signals including high definition signals?

Local digital stations: As with analog signals, subscribers can install an antenna to receive digital (including “HD,” high definition, digital signals) broadcast signals over-the-air from local broadcasters that are transmitting in a digital format. In some cases, a small indoor antenna (like “rabbit ears”) may work; in other cases, you may need an outdoor antenna. Our DTV website, www.dtv.gov, may help you determine which stations are broadcasting digital signals in your area and what type of antenna you need. Alternatively, you may be able to subscribe to local-into-local *digital* service if your satellite carrier offers it.

Distant digital signals: Satellite carriers are not required to offer distant digital signals. If your satellite carrier offers distant digital signals, you may be eligible to subscribe to them if one of the following situations applies to you.

You may be currently receiving or allowed to subscribe to *distant digital* signals pursuant to private agreements between your satellite carrier and one or more television networks. If, as of December 8, 2004, you received distant digital signals, you may continue to receive these signals as long as the agreement remains in effect. You may receive the digital signal regardless of whether the satellite company offers local-into-local digital service or whether you subscribe to such service. Ask your satellite carrier if it offers distant digital signals.

Alternatively, you may be eligible for *distant digital* signals if you are “unserved” by over-the-air *analog* signals. “Unserved” means your household cannot receive, with a stationary outdoor rooftop antenna, an over-the-air signal of Grade B intensity, as defined by the FCC. If your household is predicted to be “unserved” by the analog signals of a network station, you qualify for the distant digital signal of that network, if it is offered by your satellite carrier. If your satellite carrier offers *local-into-local analog* service, you must subscribe to it in order to qualify for distant *digital* signals. If you qualify for distant signal service, the SHVERA statute specifies that you can only receive signals from stations located in your same time zone or in a later time zone, not in an earlier time zone. In other words, you cannot receive programming aired at an earlier time than it would be aired by local stations in your time zone regardless of when you first subscribed to distant digital signals. Ask your satellite carrier which distant digital signals it offers in your area.

A third alternative, created by the 2004 SHVERA statute, will allow for signal testing at your household to determine if you are “served” by a digital signal over-the-air. In some cases, if you are shown to be “unserved,” you would be eligible for distant digital signals, provided you subscribe to local-into-local analog service if it is offered. However, this *digital testing* option is not available until April 30, 2006 (in the top 100 television markets) and July 15, 2007 (in all other television markets). In certain situations, a station may qualify for a waiver of this testing requirement for a limited period of time. In addition, your satellite carrier may refuse to arrange for the digital signal test, and in that case, you may arrange and pay for a test yourself, under the

supervision of the satellite carrier. Your satellite carrier can tell you whether you are in a top 100 market and whether it will help you to arrange for a digital signal test once the testing provisions take effect in 2006 or 2007.

In general, the SHVERA statute prevents a satellite carrier from offering distant digital signals if it makes local-into-local digital signals available to you unless you were receiving distant digital signals as of December 8, 2004. The statute also prevents satellite carriers from offering distant digital network programming that is aired in an earlier time zone than that in which you live unless you have a waiver from your local station that is affiliated with the same network as the station offering the earlier programming. This means, for example, if you live in California and local-into-local service is available to you and you are eligible for a distant digital signal, the satellite carrier is not permitted to provide you with a distant digital signal from New York.

8. Will I need additional equipment to receive digital signals?

You may need a new satellite dish, an additional (second) satellite dish and/or a new receiver box to receive digital signals. You should ask your satellite carrier what equipment you need. The 2004 SHVERA statute allows satellite carriers to require a second satellite dish antenna for digital signals or for local analog signals, as long as all the local analog signals are received on one dish. If you currently have two dishes, your satellite carrier may notify you that you will need to change equipment. These notifications will be provided before March 8, 2006. If you have questions about the satellite equipment you need to receive local or distant, analog or digital stations, ask your satellite carrier.

9. Suppose the satellite company and the TV station do not agree on the person to conduct the signal strength test?

If you are going to have a signal test at your household, the tester must be qualified, independent and someone that the satellite carrier and television station can agree upon. In the event that a satellite company and the TV station are unable to agree on someone to conduct the test, the FCC has designated the American Radio Relay League ("ARRL") as the independent and neutral entity to approve the proposed tester. The satellite provider and the TV station are supposed to work with the ARRL to select the person or organization that will conduct the signal strength test. The ARRL does not perform the test; rather it evaluates a proposed tester's qualifications.

10. Do I need a new waiver to get a distant digital signal if I have a waiver for distant analog signals?

If you are an unserved household as defined above, you are eligible to receive a distant digital signal today, subject to the other statutory restrictions described above. If you are currently receiving distant analog signals because you were granted a waiver by one or more television stations, you may be eligible to receive a distant digital signal if your waiver is not limited to analog signals. You should contact your satellite carrier to check your eligibility and, if necessary, to request a waiver for distant digital signals. If you are eligible to receive a distant analog signal because you were a grandfathered subscriber as defined above, it is not automatic that you are eligible for a distant digital signal, and you should ask your satellite carrier to

request a waiver from the television station on your behalf. Regardless of the way in which you are eligible to receive a distant digital signal, you must subscribe to local-into-local analog television service, if it is offered in your DMA, in order to be eligible to receive a distant digital signal.

11. How does the exemption for recreational vehicles and commercial trucks apply?

If you are a subscriber whose dish antenna is permanently attached to a recreational vehicle or a commercial truck, you are deemed an "unserved household" and are eligible to receive distant analog and digital signals. The "recreational vehicle" must meet the definition contained in regulations issued by the Department of Housing and Urban Development. The "commercial truck" must meet the definition contained in regulations issued by the Department of Transportation. The owner of the recreational vehicle or the commercial truck must produce the required legal documentation and include a signed declaration that the satellite dish is **permanently** attached to the vehicle or to the truck. The SHVIA statute specifically states that the terms "recreational vehicle" and "commercial truck" do not include any fixed dwelling, whether a mobile home or otherwise. If you are eligible to receive distant analog signals pursuant to this section, you are also eligible to receive distant digital signals.

HUD regulations (Title 24 Code of Federal Regulations, Section 3282.8) define "recreational vehicle" as a vehicle that is: (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

DOT regulations (Title 49 Code of Federal Regulations, Section 383.5) define "commercial motor vehicle" as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle: (a) has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or (b) has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more); or (c) is designed to transport 16 or more passengers, including the driver; or (d) is of any size and is used in the transportation of materials found to be hazardous for the purpose of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (Title 49 Code of Federal Regulations part 172, subpart F).

Please note that these are the current definitions (as of March, 2005). You may wish to contact HUD and/or DOT to determine whether the regulations have been modified. Also, the Code of Federal Regulations is available in many public libraries.

12. How does the C-band exemption apply?

Generally, C-band service uses a large satellite dish. Persons who subscribe to C-band service may continue to receive distant network television signals if such signals were being received on October 31, 1999 or if the signals were terminated before October 31, 1999. Persons who first subscribed to C-band services after October 31, 1999 are not covered by this exemption. If you

are eligible to receive distant analog signals because of this exemption, you are eligible to receive distant digital signals.

13. Do sports blackout rules apply to satellite carriers?

Sports blackouts apply to satellite carriage of network television stations. This could mean that TV stations and others with exclusive rights to certain programs in specific areas may require satellite carriers to delete certain programs, including sports events, so that the program or event cannot be viewed by subscribers in specific areas. These deletions are only permitted if the broadcaster, syndicator, or sports team has exclusive rights to the program in a specific area. For more information about these rules, consult the [Report and Order](#), FCC 00-388, adopted October 27, 2000. You may obtain a copy of this document using the link above or below or by calling the FCC at 1-888-CALL FCC (1-888-225-5322). This is a toll free telephone call.

14. Are satellite subscribers able to receive a PBS TV station?

Local PBS stations and other noncommercial stations are generally included among the “local” stations offered in markets in which the satellite carrier chooses to offer local-into-local service. Alternatively, PBS and other non-commercial stations may be available to unserved households as distant signals. In non local-into-local markets you should ask your satellite carrier if the national PBS programming is available.

15. Whom should I contact for additional information?

If you have questions about the availability of local-into-local service in your specific area, your eligibility to receive distant TV signals, the procedure for obtaining a waiver, or other specific information about your satellite service, you should contact your satellite company or distributor.

If you have questions about this Fact Sheet you may contact the FCC Call Center, toll free, at 1-888-CALL-FCC (1-888-225-5322).

List of Related Documents

- Media Bureau Acts on Requests to Extend Digital Testing Waivers Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004. (10/31/2006) [Order: [Word](#) | [Acrobat](#) Attachment: [Excel](#) | [Acrobat](#)]
- Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004. (5/1/2006). [Order: [Word](#) | [Acrobat](#) ;Appendix A: [Excel](#) | [Acrobat](#) ; Appendix B: [Excel](#) | [Acrobat](#) ; Appendix C: [Excel](#) | [Acrobat](#)]
- Measurement Standards for Digital Television Signals Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004. (4/28/2006). [NPRM: [Word](#) | [Acrobat](#)]
- TV Station Requests for Waiver of Digital Testing Pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004 to be Filed by November 30, 2005 or February 15, 2007. (11/17/2005): [[Word](#) | [Acrobat](#)]

- FCC Takes Further Steps To Implement SHVERA. (11/3/2005): [News Release: [Word](#) | [Acrobat](#) ; Report & Order: [Word](#) | [Acrobat](#) ; Appendix C - Significantly Viewed List as of 11/2/05: [Word](#) | [Acrobat](#)]
- FCC Report to Congress on Retransmission Consent and Exclusivity Rules Pursuant to Section 208 of SHVERA.
Report To Congress: (9/9/2005) [[Word](#) | [Acrobat](#)]
- FCC Implements Satellite Carriage of HDTV and Multicast Programming in Alaska and Hawaii: (8/23/2005) [Order: [Word](#) | [Acrobat](#) ; News Release [Word](#) | [Acrobat](#)]
- FCC Extends Good Faith Bargaining Obligations to Cable and Satellite Providers: (6/7/2005) [News Release: [Word](#) | [Acrobat](#) Order: [Word](#) | [Acrobat](#)]
- SHVERA NOI Concerning Technical Standards for Determining Eligibility For Satellite-Delivered Distant Digital Signals (5/3/2005): [Press Release: [Word](#) | [Acrobat](#) ; NOI: [Word](#) | [Acrobat](#)]
- Commission Implements Implementation of the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"), Notice of Proposed Rulemaking, Noncontiguous States (5/2/2005): [NPRM: [Word](#) | [Acrobat](#)]
- Commission Implements the Satellite Home Viewer Extension and Reauthorization Act of 2004 ("SHVERA"), Procedural Rules (3/30/05): [Order: [Word](#) | [Acrobat](#)]
- Commission Implements Section 207 of the Satellite Home Viewer Extension and Reauthorization Act of 2004, Reciprocal Bargaining Obligations (3/7/2005): [NPRM: [Word](#) | [Acrobat](#)]
- Commission Takes Steps Toward Implementation of SHVERA (Significantly Viewed NPRM) (2/7/2005) [News Release: [Word](#) | [Acrobat](#) NPRM: [Word](#) | [Acrobat](#)]
- Commission Seeks Comment for Inquiry Required by the Satellite Home Viewer Extension and Reauthorization Act on Rules Affecting Competition in the Television Marketplace (1/25/2005) [[MS Word](#) | [Acrobat](#) | [Text](#)]
- Satellite Home Viewer Extension and Reauthorization Act ("SHVERA"), Pub. L. No. 108-447, 118 Stat 2809 (2004) (enacted on December 8, 2004, as title IX of the "Consolidated Appropriations Act, 2005): [[Word](#)]
- Implementation of the Satellite Home Viewer Improvement Act of 1999: Broadcast Signal Carriage Issues Order on Reconsideration, CS Docket No. 00-96 (9/5/2001): [[MS Word](#) | [Acrobat](#) | [Text](#)]
- Commission Implements Satellite Home Viewer Improvement Act Provisions Concerning Broadcast Signal Carriage Issues and Retransmission Consent Issues for Satellite Carriers (11/29/00): [Order: [MS Word](#) | [Text](#)]
- Technical Standards for Determining Eligibility For Satellite-Delivered Network Signals Pursuant To the Satellite Home Viewer Improvement Act (11/29/00): [Report: [MS Word](#) | [Text](#)]
- Commission Implements Satellite Home Viewer Improvement Act Sports Blackout and Program Exclusivity Rule Provisions for Satellite Carriers (10/27/00): [News Release: [MS Word](#) | [Text](#) | Order: [MS Word](#) | [Text](#)]
- FCC Seeks Comment on Rules for Satellite Carriage of Broadcast Signals (6/8/00): [News Release: [MS Word](#) | [Text](#) | NPRM: [MS Word](#) | [Text](#)]
- FCC Implements Three More SHVIA Requirements (5/26/00): [News Release: [MS Word](#) | [Text](#) | Order, FCC 00-185: [MS Word](#) | [Text](#) Notice of Inquiry, FCC 00-184: [MS Word](#) | [Text](#)]

- FCC adopts rules for retransmission consent nine months ahead of deadline (3/16/00): [Order: [MS Word](#) | [Acrobat](#) | [Text](#) | News Release: [HTML](#) | [Text](#)]
- Order regarding enforcement procedures for retransmission consent complaints pursuant to SHVIA (1/27/00): [Order: [MS Word](#) | [Text](#) | News Release: [MS Word](#) | [Text](#)]
- Notice of Proposed Rule Making on computer model predicting signal intensity to determine unserved households (1/20/00): [NPRM: [MS Word](#) | [Text](#) | News Release: [MS Word](#) | [Text](#)]
- Notice of Proposed Rule Making for network nonduplication, syndicated program exclusivity and sports blackout rules to be applied to satellite carriers (1/07/00): [NPRM: [MS Word](#) | [Text](#) | News Release: [MS Word](#) | [Text](#)]
- Notice of Proposed Rule Making on retransmission consent negotiations (12/22/99): [NPRM: [MS Word](#) | [Text](#) | News Release: [MS Word](#) | [Text](#)]
- Order on Reconsideration (10/7/99): [Order: [WordPerfect](#) | [Text](#) | News Release: [MS Word](#) | [Text](#)]
- Rulemaking (2/1/99): [[WordPerfect](#) | [Text](#) | [News Release & Statements](#)]

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