

CONFIDENTIAL APTS/PBS/NCTA

**CARRIAGE SELECTION FORM
PTV DEADLINE AUGUST 21, 2008**

Following discussions concerning the relationship between the 2005 Agreement among APTS, NCTA and PBS and the analog carriage rules of the FCC's *Viewability Order* (FCC 07-170), the three organizations have reached a mutual understanding that would result in the following during the period February 18, 2009 through February 18, 2012:

- for each HDTV Cable System that supplies an analog tier, one PTV Station entitled to digital and analog carriage rights under the 2005 Agreement under the pre-transition carriage regime would receive such digital and analog carriage until Feb. 18, 2012;
- for each HDTV Cable System that supplies an analog tier, additional PTV stations would continue to receive analog-only carriage until Feb. 18, 2012; such additional PTV Stations entitled to Post-Transition digital-only carriage rights under the 2005 Agreement, which currently are set to begin on Feb. 18, 2009, would agree to postpone the commencement of such digital carriage rights until Feb. 18, 2012;
- alternatively, an additional PTV Station can choose to cause early relinquishment of analog-only carriage in favor of digital-only carriage pursuant to the 2005 Agreement;
- all PTV Stations would acknowledge and affirm that during the term of the 2005 Agreement, such rights granted under the 2005 Agreement and this understanding would replace and supplant any carriage rights applicable to public television stations arising out of the FCC's *Viewability Order*; and
- each cable MSO that has ratified the 2005 Agreement will countersign the carriage selection form of each station qualified for carriage on its HDTV Cable System.

All forms will be processed through APTS and NCTA. Accordingly, attached is a form that each public television station must complete for each cable MSO's HDTV Cable System covered by the 2005 Agreement on which the station is carried.

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Please fill out a separate form for every cable system whose parent MSO has ratified the 2005 APTS, NCTA, PBS digital carriage agreement.

SECTION I: INFORMATION

- LICENSEE NAME: _____
- STATION CALL SIGN: _____
- STATION LOCATION: _____
- STATION MARKET: _____
- STATION EMAIL ADDRESS: _____
- STATION FAX NUMBER: _____

CABLE SYSTEM COVERED BY THE 2005 APTS/NCTA/PBS AGREEMENT ON WHICH STATION IS CURRENTLY CARRIED (see attached list—please complete a separate form for each such cable system):

- NAME OF CABLE SYSTEM: _____
- NAME OF CABLE OPERATOR PARENT COMPANY (if known): _____
- LOCATION OF SYSTEM (if known): _____

SECTION II: CARRIAGE SELECTION

Pursuant to the APTS/NCTA/PBS understanding, for the period February 18, 2009 through February 17, 2012, the cable MSO will carry one station in analog (downconverted primary digital signal) and digital (up to 4 streams of digital programming, including the primary digital signal, per the 2005 Agreement) on its system.

On any system where the cable MSO does not choose your station as the one public television station to carry in both analog and multicast digital format, the station may choose one of two formats of carriage by the cable MSO. If a station does not return a form indicating its choice, the station will be deemed to have selected digital-only carriage under the terms of the 2005 Agreement that your station ratified in 2005.

Please indicate your carriage selection below for the period February 18, 2009 through February 17, 2012: [check one]

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- Our station chooses to exercise digital-only carriage under the 2005 Agreement (no analog carriage, up to 4 streams of digital programming, including the primary digital signal).

OR

- Our station chooses to have its primary digital signal downconverted and carried in analog-only on the analog tier of the cable system (no digital carriage), beginning February 2009.¹

SECTION III: PTV STATION SIGNATURE

In consideration of the benefits provided above and under the 2005 Agreement, by signing below you expressly waive any carriage rights under the FCC's must carry and viewability rules during the term of the 2005 Digital Carriage Agreement between NCTA, APTS and PBS and Station will comply with the terms of this Carriage Selection Form.

By: _____
Authorized Officer or Representative of Licensee
Name: _____
Title: _____
Date: _____

PUBLIC TELEVISION STATION SHOULD SIGN AND SUBMIT THIS FORM BY August 21, 2008 TO APTS. Forms can be sent via E-mail to APTS at APTSforms@apts.org. The forms will automatically be shared with PBS and NCTA, so please do NOT write questions or comments on this form. Call Lonna Thompson with any questions or comments at 202-654-4215. **NCTA will provide the forms to cable MSOs for their signatures, and the cable MSO will provide the signed form via E-mail or fax to the Station.**

¹ Note that if a station chooses analog-only carriage, the station may change its selection to full digital-only carriage upon 90-days prior written notice to the operator.

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Cable Operator Signature (to be processed by NCTA)

By signing below, you agree that with respect to the above-named PTV Station, you have received the Station's form and will comply with the terms of this Carriage Selection Form.

By: _____
Authorized Officer or Representative for Cable Operator

Name: _____

Title: _____

Date: _____