

§ 301.6

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letter of acknowledgment after NTIA receives the notice of intent.

(d) Each model proposed to be a CECB shall meet the performance specification and features set forth in Technical Appendix 1 of this Section. Each model proposed may also include “permitted” features set forth in Technical Appendix 2, but shall not include “disqualifying” features set forth therein.

(e) NTIA may issue other guidance or test-bed conditions and it is the manufacturer’s responsibility to conduct tests pursuant to any guidance so provided. A manufacturer shall conduct its own tests or have a qualified independent third party conduct the tests.

(f) Reports of test conditions and test results must be clear and comprehensive so that they can be easily interpreted by NTIA and others reviewing them. The FCC may test converter boxes, if requested by NTIA.

(g) Test results shall be submitted to NTIA along with a certification of the testing supervisor as to their authenticity, completeness and accuracy based on personal knowledge.

(h) NTIA will provide prompt notice to the individual submitting test results whether the model has met technical approval and is or is not a CECB. NTIA will base its decision whether to approve each converter box upon consultation with the FCC.

(i) A list of CECBs, including make and model number, will be maintained by NTIA and regularly distributed to participating retailers for use in electronic Point-of-Sale (POS) systems.

(j) It is the responsibility of the manufacturers to resolve any performance or product defect issues with consumers and retailers.

(k) NTIA shall not warrant the performance, suitability, or usefulness of any CECB for any use.

§ 301.6 Retailer participation.

Retailer participation is voluntary. NTIA encourages retailers to participate in the Coupon Program and to cooperate with NTIA and its contractor in the administration of an effective and efficient program resulting in high customer satisfaction with a minimum of waste, fraud and abuse.

(a) Retailer Obligations: Certified Retailers are required to redeem valid coupons toward the purchase of CECBs, and

(1) Must have systems in place that are capable of electronically processing coupons for redemption and payment, tracking each and every transaction, and generating reports that are easily auditable.

(2) Must train employees on the purpose and operation of the Coupon Program. NTIA or its contractor will provide training material.

(3) Will not be responsible for checking consumer or household eligibility but shall report to NTIA suspicious patterns of customer behavior.

(4) Use commercially reasonable methods to order and manage inventory to meet customer demand for CECBs.

(5) Must provide transaction reports based on NTIA’s requirements. Reports must be maintained by the retailer for at least one year. Business confidential and proprietary information shall not be disclosed to the public unless otherwise required by law.

(b) Retailer Certification:

(1) Retailers seeking to participate in the Coupon Program must apply for certification by contacting NTIA between June 1, 2007 and March 31, 2008.

(2) Retailers must complete the form provided by the Agency which requires the retailers to self certify that they:

(A) Have been engaged in the consumer electronics retail business for at least one year unless waived for good cause by NTIA. Good cause will be determined upon a showing by the retailer that participation would be in the best interest of the program. NTIA will issue a written determination as to whether a retailer has made a sufficient showing of good cause to waive this requirement;

(B) Have completed a Central Contractor Registration (www.ccr.gov);

(C) Have in place systems or procedures that can be easily audited as well as systems that can provide adequate data to minimize fraud and abuse in retail redemption and government payment for coupons;

(D) Agree to have coupon box sales audited at any time during the term of participation in the coupon program by

the U.S. Government or an independent auditor at no expense to the retailer;

(E) Will provide NTIA electronically with redemption information and payment receipts related to coupons used in the purchase of converter boxes, specifically tracking each serialized coupon by number with a corresponding CECB purchase; and

(F) Agree only to accept coupons for, and receive payment resulting from authorized purchases made for CECBs.

(3) Retailer Certification may be revoked by NTIA if a Certified Retailer fails to comply with these regulations, with the terms of any agreement made between the Certified Retailer and NTIA, or for other actions inconsistent with the Coupon Program.

(4) NTIA will not revoke retailer certification for unintentional non-compliance or error.

(5) Retailers may contact NTIA for late application or dispute resolution for problems such as denial or revocation of certification. Such issues will be resolved on a case-by-case basis.

§301.7 Waiver of household eligibility.

(a) A resident of a Nursing Home, Intermediate Care Facility or Assisted Living Facility may apply for a limited waiver of the household eligibility requirement for the Coupon Program and be eligible for one coupon. Anyone may apply for a coupon on behalf of the Resident including the Resident, a family member, an employee of the Nursing Home, Intermediate Care Facility or Assisted Living Facility.

(b) The application must be in the name of the Nursing Home Resident and must include the resident's name, the name of the facility and the street address. The Nursing Home Resident must also certify that their television set is over-the-air-reliant or whether they subscribe to satellite, cable or other pay television service.

(c) Applications will be accepted by mail only on pre-printed form. In the alternative, a letter will be accepted as an application if all of the required information for the waiver is contained therein.

(d) A Nursing Home Resident seeking a waiver is entitled to only one coupon.

(e) Coupons for approved applications will be mailed individually to each

Nursing Home Resident, addressed and mailed "in care of" to the Nursing Home Resident at the address of the Nursing Home, Intermediate Care Facility, or Assisted Living Facility.

[73 FR 54333, Sept. 19, 2008]

TECHNICAL APPENDIX 1

NTIA COUPON-ELIGIBLE CONVERTER BOX (CECB)

REQUIRED MINIMUM PERFORMANCE SPECIFICATIONS AND FEATURES

REFERENCE DOCUMENTS

- ATSC A/74, Receiver Performance Guidelines, June 2004
- ATSC A/53E, ATSC Digital Television Standard, Revision E with Amendments No. 1 and No. 2, September 2006
- ATSC A/65C, Program and System Information Protocol for Terrestrial Broadcast and Cable (Revision C) With Amendment No. 1, May 2006
- Recommendation ITU-R BT.500-11, Methodology for the subjective assessment of the quality of television pictures
- ATSC A/69, PSIP Implementation Guidelines for Broadcasters, June 2002

ELIGIBLE CONVERTER BOXES SHALL COMPLY WITH THE FOLLOWING MINIMUM PERFORMANCE SPECIFICATIONS AND FEATURES:

1. Decoder

Equipment shall be capable of receiving and presenting for display program material that has been encoded in any and all of the video formats contained in Table A3 of ATSC A/53E. The image presented for display need not preserve the original spatial resolution or frame rate of the transmitted video format.

2. Output Formats

Equipment shall support 4:3 center cut-out of 16:9 transmitted image, letterbox output of 16:9 letterbox transmitted image, and a full or partially zoomed output of unknown transmitted image.

3. PSIP Processing

Equipment shall process and display ATSC A/65C Program and System Information Protocol (PSIP) data to provide the user with tuned channel and program information. See ATSC A/69 for further guidance.

4. Tuning Range

Equipment shall be capable of receiving RF channels 2 through 69 inclusive.