

KIKU, Honolulu, Hawaii
FCC Facility ID # 34527
File # BLDSTA-20090206ADV

Supplement to Request for Waiver of DTV Consumer Education Rules

KHLS, Inc. ("KHLS"), licensee of KIKU, Honolulu, Hawaii, submits this supplementary information in support of its application for Legal Special Temporary Authority to discontinue broadcasts of digital television transition notices as directed by Section 73.674 of the Commission's rules.

In support of the early transition to digital-only television broadcasting, the television stations of Hawaii took extraordinary steps to assure that viewers in the state were prepared for the transition. KIKU, in particular, broadcast an "analog-nightlight-type" service for 17 days and exceeded the requirements of the Commission's rules.

1. KHLS chose "Option Two" (47 CFR § 73.674(d)) as its method of complying with the Commission's Consumer Education Initiative. Under the requirements for Option Two, a station must broadcast a minimum of 16 transition-related announcements per week. From October 21, 2008 through January 14, 2009 (the day before the station ceased regular analog broadcasting), KIKU ran 38 sixty-second announcements per week, more than twice the requirement.
2. Additionally, from November 14, 2008 through January 14, 2009, KIKU broadcast 9 sixty-second announcements per week which it subtitled in Japanese. KIKU regularly broadcasts several Japanese-language programs.
3. From December 17, 2008 through January 14, 2009, KIKU broadcast an additional 7 sixty-second announcements which it subtitled in Tagalog. KIKU regularly broadcasts Filipino news and dramatic programs.
4. KHLS helped fund a half-hour informational program featuring Commissioner Jonathan Adelstein and aired it on KIKU on December 11, 2008. This was in addition to its broadcast of the half-hour informational program produced by the National Association of Broadcasters. Phyllis Kihara, KIKU's Vice President/General Manager, also appeared in a one-hour "Island Issues" program produced by PBS Hawaii, which ran on December 11, 2008.
5. Since the termination of analog broadcasting, KIKU has been running 31 sixty-second transition-related announcements each week.
6. Under Option Two a single 30-second announcement or two 15-second announcements count as a single qualifying broadcast; as mentioned above, both before and after the transition, KIKU has broadcast announcements that were 60-seconds in length, providing more detail in consideration of the older viewers in the station's audience.

7. Option Two requires 25% of the announcements to be in prime time; 45% of the announcements that KIKU broadcast have been in Honolulu Prime Time, 5:00 p.m. to 10:30 p.m., Hawaiian Time.

8. Following the termination of regular analog broadcasting, KIKU continued broadcasting an informational/instructional videotaped program in a continuous loop for over 17 days (January 15th through the morning of February 2nd). The program provided information on the digital switch, converter boxes, antennas, and sources for additional information and assistance.

9. KIKU personnel assisted the Commission by answering calls at its call center and responded to hundreds of messages left at the call center following the digital switch.

Thus, KHLS has demonstrated that it has gone far above and beyond the minimum requirements specified in the Commission's rules to help create a successful digital transition in Hawaii. These efforts, in addition to the points previously made in its application, support KHLS's request for immediate relief from the Commission's DTV Consumer Education requirements.