

**United States Telephone Association**

1401 H Street, N.W., Suite 600
 Washington, D.C. 20005-2136
 (202) 326-7300
 (202) 326-7333 FAX

January 27, 1995

Mr. William F. Caton
 Acting Secretary
 Federal Communications Commission
 1919 M Street, NW - Room 222
 Washington, DC 20554

DOCKET FILE COPY ORIGINAL

JAN 27 1995

FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF SECRETARY

DOCKET FILE COPY ORIGINAL

Re: Ex Parte Meeting On Cable Home Wiring, MM Docket No. 92-260 and RM-8380, In the Matter of Implementation of the Cable Television Consumer Protection and Competition Act of 1992, and Petition for Rulemaking to Establish Rules for Subscriber Access to Cable Home Wiring for the Delivery of Competing and Complementary Video Services, respectively.

Dear Mr. Caton:

On January 12, 1995, I participated in a roundtable discussion of the regulatory issues related to cable home wiring, which was moderated by Mr. Greg Vogt of the Common Carrier Bureau and was facilitated by Mr. Larry Walke and Ms. Jennifer Burton of the Cable Services Bureau. Other participants include representatives of the following organizations: Cable Telecommunications Association, Consumer Electronics Group/Electronic Industries Association, Liberty Cable Company, Media Access Project, National Cable Television Association, National Private Cable Association, Satellite Broadcasting Communications Association, Time Warner Entertainment Company, and Wireless Cable Association. USTA would like to add the essence of our remarks to the public record in the above-captioned proceedings.

USTA believes that cable customers must have ownership of and/or control over their inside wire. To achieve this, the cable industry must relinquish its control. This transition must occur whether or not customers terminate their incumbent cable service. That is the only way to ensure that customers, rather than video suppliers, make the choice of how to use that inside wire. The ownership and control aspects of the telephone industry's inside wire rules support the development of competition in the marketplace. The same principles of customer control should be incorporated into the cable regulations.

No. of Copies rec'd 07
 List A B C D E

Mr. William F. Caton
page 2

January 27, 1995

On the question of where the demarcation point between the cable network and the cable inside wire should be located, we urge the Commission to take a pragmatic approach. If the demarcation point is not physically accessible by the video suppliers chosen by the customer, the pro-competitive policy behind the Commission's current regulations will not be realized. We believe the Commission should seriously consider designating the demarcation point at the place where common plant meets the wiring dedicated to the individual subscriber. That point will almost always be physically accessible.

We also urge the Commission to grant our July 27, 1993 Petition for Rulemaking and initiate a proceeding to establish rules mandating cable-subscriber access to cable home wiring.

An original and two copies of this ex parte notice are being filed in the Office of the Secretary on January 27, 1995. Please include this notice in the public record of these proceedings.

Respectfully submitted,



Mary McDermott
Vice President and General Counsel

cc: Greg Vogt, Common Carrier Bureau
Jennifer Burton, Cable Services Bureau
Larry Walke, Cable Services Bureau