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July 5, 1996

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

VIA HAND DELIVERY

William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D.C. 20554

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Re: ET Docket No. 93-7

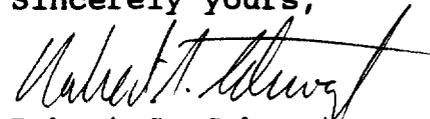
Dear Mr. Caton:

Enclosed for filing are an original and ten copies of Circuit City Stores, Inc.'s Response to the Petitions for Reconsideration of the Memorandum Opinion and Order filed in the above-referenced docket.

An additional copy to be date stamped and returned with the messenger for our files is also enclosed.

Thank you for your assistance.

Sincerely yours,



Robert S. Schwartz

Enclosures

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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OFFICE OF SECRETARY

In the Matter of)	
)	
Implementation of Section 17)	
of the Cable Television)	ET Docket No. 93-7
Protection and Competition)	
Act of 1992)	
)	
Compatibility Between Cable)	
Systems and Consumer)	
Electronics Equipment)	

**RESPONSE OF
CIRCUIT CITY STORES, INC.
TO PETITIONS FOR CLARIFICATION
AND FURTHER RECONSIDERATION**

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July 5, 1996

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SUMMARY

Circuit City opposes General Instrument's petition for "clarification" of the Memorandum Opinion and Order in this proceeding. There are no technical barriers to achievement of what the Commission has ordered, nor is the order contrary to the general "trend." The prescriptions in the portions of the Memorandum Opinion and Order challenged by GI are entirely appropriate and feasible, and in fact represent the most modern practice with respect to security. Moreover, the elements challenged by GI are now *required* by section 304 of the 1996 Telecommunications Reform Act, to achieve competitive availability of navigation devices.

In suggesting that the Memorandum Opinion and Order be changed to suit its interpretation of the standard, GI has things precisely backwards. In making this argument, it also severely mischaracterizes, misquotes, and misinterprets the definition language that it paraphrases. To the extent any clarification is necessary in this proceeding, it should be directed by the Commission to its advisory group, to ensure that the draft IS-105 standard complies with the Commission's orders and with the law.

The joint petitions for reconsideration are correct in urging that the provisions of the 1996 Act be considered binding in this proceeding. But the petitioners fail to consider the necessary effects, and empowerment to the Commission, of section 304. The legislative history is

crystal clear that section 304 allows the Commission to take whatever steps may be necessary to achieve competitive availability of navigation devices, irrespective of any considerations arising from section 301(f).

The petitioners would ask the Commission to rule, immediately, that section 301(f) limits the nature of the Decoder Interface that can be approved in this proceeding. Such a determination would be impossible, however, without consideration under section 304 as to the nature of the implementation necessary to achieve competitive availability. Once the Commission addresses this issue, it can decide whether it is appropriate to implement a version of the full draft IS-105 standard, a "descrambler only" subset of IS-105, or some new "descrambler only" interface.

If the Commission were to decide, in response to the petition for reconsideration, to address at this time the effect of the 1996 Act, it would need to revise, now, the determination in this proceeding that would allow cable system operators to provide consumers with descrambler modules that integrate other functions and features. This result clearly would be contrary to Congress's intentions in enacting section 304. This consideration points to the necessity of the Commission moving expeditiously to enforce section 304, for the benefit of all those interested in this proceeding, and all those wishing to make investment decisions with respect to navigation devices.

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**RESPONSE OF
CIRCUIT CITY STORES, INC.
TO PETITIONS FOR CLARIFICATION
AND FURTHER RECONSIDERATION**

Pursuant to section 1.429(f) of the Rules of the Federal Communications Commission (the "FCC" or "Commission"), 47 C.F.R. § 1.429(f), Circuit City Stores, Inc. ("Circuit City") respectfully submits this response to General Instrument Corporation's ("GI") Petition for Clarification and the Joint Petition for Further Reconsideration ("Joint Petition")^{1/} which were filed

^{1/} The parties to this joint petition include: Apple Computer, Inc.; Detroit Edison Company; Echelon Corp.; Global Village Communications, Inc.; Kleiner Perkins Caulfield & Byers; Novell, Inc.; Stratcom, Inc.; and Sun Microsystems, Inc. (collectively "the Joint Petitioners").

herein on May 28, 1996, as to the Commission's Memorandum Opinion and Order^{2/} in this docket.

With respect to the GI petition, Circuit City's short answer is that no clarification is necessary as to the particular elements of the Memorandum Opinion and Order challenged by GI. Rather, any necessary clarification should be required by the Commission, pursuant to the Memorandum Opinion and Order, in the IS-105 standard, so as to achieve full compliance in that standard with the requirements of the Telecommunications Act and the orders of the Commission.

GI's position boils down to this: the Commission has consistently ordered in this proceeding that the designs for the Decoder Interface must physically separate security circuitry from that of other functions and features, pursuant to Congress's requirement, in Section 17 of the 1992 Act, that the Commission must in this proceeding and otherwise "promote the commercial availability, from cable operators and retail vendors that are not affiliated with cable systems, of converter boxes"^{3/} This requirement was strengthened into a mandate by Section 304 of the 1996

^{2/} Implementation of Section 17 of the Cable Television Consumer Protection and Competition Act of 1992--Compatibility between Cable Systems and Consumer Electronics Equipment, ET Docket No. 93-7, Memorandum Opinion & Order, FCC 96-129 (released April 10, 1996), 61 Fed. Reg. 18,508 (April 26, 1996).

^{3/} The Cable Television Consumer Protection and Competition Act of 1992, Pub. L. No. 102-385 (amending the Communications Act of 1934 by adding new section 624A, codified at 47 U.S.C. 544a), now § 624A(c)(2)(C).

Telecommunications Reform Act.^{4/} Now, GI argues, since the draft IS-105 standard fails fully to comply with the Commission's and Congress's mandate, the Commission should change its clear orders, and ignore the law, to fit the current state of the draft standard!

Circuit City's response to this argument is (1) that GI mischaracterizes and greatly overstates any problem with the IS-105 draft, and (2) IS-105 can and should be made to conform to the law and to the Commission's clear and considered (and reconsidered) orders in this proceeding.

With respect to the Joint Petition for Reconsideration, Circuit City does not believe that any reconsideration is called for at this time by section 301(f) of the 1996 Telecommunications Reform Act, but any such reconsideration must also take account of the clear mandate of section 304 of that Act (competitive availability of navigation devices). We do believe that section 304 ultimately will require some changes in the final results ordered by the Commission with respect to this proceeding:

(1) the Commission's tolerance for system operators' offering devices (in addition to security-only modules) that integrate security with other features should not survive rulemaking pursuant to section 304; and

(2) if the Commission should find, in rulemaking pursuant to section 304, that mandating the entire IS-105 draft standard is not called for to achieve true competitive availability, it might accept a subset or variation thereof. Absent such a finding, however, nothing in section 301(f)

^{4/} Telecommunications Act of 1996, Pub. L. No. 104-104, § 304.

compels the Commission to adopt less than IS-105, so long as IS-105 does in fact provide for descrambler-only modules.

Both of these points illustrate the need for the Commission to *move expeditiously to implement section 304 fully and effectively.*

Circuit City is the nation's largest retailer of branded consumer electronics. Based in Richmond, Virginia, Circuit City has approximately 400 retail outlets nationwide. Circuit City sells video, audio, telecommunications, and personal computer products, including America's major brands of personal computers such as Apple, AST, Compaq, Hewlett Packard, IBM, Packard Bell, and others, to the general public. Patapsco Designs, a wholly owned subsidiary, is a product development and manufacturing firm with experience in audio, video, and computer systems, and products for signal processing, switching, set-top applications, broadcast network control, and other disciplines relevant to this proceeding.

We are pleased to have been cited by the Commission, in its 1994 First Report and Order in this proceeding, as having recommended the pro-competitive action that GI now seeks to water down: the physical separation, in the Decoder Interface and elsewhere, of security-related circuitry, as to which cable operators can rightfully avoid competition, from circuitry for all other features and functions of navigation devices, which can and should be subject to the most vigorous possible competition among

manufacturers and at retail.^{5/} This vision was explicitly confirmed and enforced by the Congress when it passed section 304 of the 1996 Telecommunications Reform Act.

Circuit City's sole interest in this proceeding is in obtaining legitimate, compatible navigation device products to offer to its customers competitively at retail. Circuit City and Patapsco have no vested interest in any relevant technological choices to be made by the Commission or in the private sector. We have argued successfully to the Commission, and to the Congress, that consumers are entitled to choice, competition, and the innovation they bring. We see no reason for the Commission to abandon the pro-competitive measures to which it, and the Congress, have committed, based on any or all of the issues raised by GI for "clarification" or by others for further reconsideration.

I. GI'S PREMISE IN URGING A REVISION OF A CORRECT DECISION IS WRONG -- SEPARATION OF SECURITY FROM OTHER FEATURES IS CONSISTENT WITH, AND IMPLEMENTED IN, EVOLVING DESIGNS.

Because the IS-105 draft standard is not final, has not been submitted to the Commission, and can still be revised, if necessary, to comport with the Commission's repeated determinations and orders, the GI petition really rests on yet another objection of the sort that were made and dealt

^{5/} In the matter of Compatibility Between Cable Systems and Consumer Electronics Equipment, First Report and Order, ET Docket No. 93-7, FCC 94-80, 9 FCC Rcd 1981 (1994), ¶¶ 42 and 29 ("1994 Report and Order").

with earlier in this proceeding. This time, GI cites "current addressable and evolving two-way cable TV network designs."^{6/} In fact, however, the functions and features cited by GI are increasingly performed in circuitry that can be, and is, physically and electrically separate from descrambling circuitry.

It may be that some cable systems and equipment designers are willfully and unnecessarily flouting the Commission's determinations in an attempt to establish such a "trend" as a self-fulfilling -- and self-serving -- prophecy. But such designs would not reflect technological evolution or necessity, and ought to put their proponents at risk when the Commission enforces its orders.

- A. The general trend, driven by sound security considerations, is away from the integration of security and feature circuitry.

If all that GI argued at pages 8 - 11 of its petition were true, broadband systems such as DSS in the United States, DVB in Europe, and the DAVIC standards internationally would not be moving increasingly toward separation of security from features. Indeed, to the extent that DSS and DVB have experienced piracy problems with existing generations of equipment, it is because the security function is split between removable, renewable "cards" and circuitry in the "box" itself. In future

^{6/} GI Petition for Clarification at 8.

generations, the security will be isolated on cards, making them fully removable and renewable.

With respect to the two-way features described by GI, nothing inherently distinguishes these other modern systems from cable systems. They use a telephone return-path that includes both non-secured information and information, such as credit card numbers, that is encrypted. In each case, the information may pass through the conditional access card (or module), but need not originate or be controlled there.

B. There is no reason, other than desire to avoid competition, that the features discussed by GI need to be within the exclusive control of the cable operator.

In discussing the potentially competitive features over which GI would like the cable operator to retain control, GI slides to arguing that they therefore *must* remain in operator control. We reviewed and exposed this sort of logic at earlier stages of this proceeding.^{2/}

The fact is that limiting component descramblers supplied by cable operators to signal access control functions would *not* make it impossible for consumers to enjoy features such as on-screen menus, on-screen emergency services, or system-originated messages, or for cable operators to provide them. It would only make it impossible

^{2/} See Ex Parte Filing of the Consumer Electronics Retailers Coalition on Decoder Interface Issues, Docket No. 93-7, at 5-6 (Feb. 28, 1995).

for the cable operator to maintain a *monopoly* over such features.

The basic GI argument, and the underlying fallacy, have not changed from the outset of this proceeding. Setting up the status quo delivery of cable services, in which there is no feature competition, as the ideal model, GI argues that any service not driven 100% by system operator feature decisions would deprive the consumer of the "benefit" of adherence to the model. The fact that competitive provision of feature circuitry will allow the consumer to *choose* between the cable feature and the competitive feature is deemed a minus rather than a plus. The technical *inabilities* proclaimed by GI would be worthy of consideration only if this distorted policy context were valid.

Similarly, where there is no desire to preserve and protect a system operator monopoly over all functions and features, there is no necessity for mixing security and feature circuitry in order to maintain exclusive operator control. The support of compatible 2-way operation of competitively procured function and feature circuitry will entail some obligations on the part of cable system operators with respect to design and disclosure similar to Part 68 telephone system obligations, as well as provision

for details such as delivery of power.^{8/} Like many other issues raised by GI, this is a question of will and intention, not security or technical or commercial feasibility.

The only functions that need to remain under physical control of the system operator are the processing of the "secrets," pertaining to scrambling and encryption, that must be kept secret to guard against unauthorized access to signals. Upstream and downstream messages, including those addressed to billing, may need to pass through the descrambler module for encryption and decryption, but need not originate in that module.^{9/} Not only is this true generally; it is true specifically in the context of the Decoder Interface.

II. GI OVERSTATES AND MISSTATES THE EXTENT TO WHICH THE IS-105 DRAFT STANDARD MAY REQUIRE MODIFICATION TO BE BROUGHT INTO STRICT COMPLIANCE WITH THE MEMORANDUM OPINION AND ORDER.

Circuit City would agree that any divergence between the draft IS-105 standard and the Commission's orders is a

^{8/} These are discussed in Circuit City's, Compaq's, and other filings with the Commission in the "Inside Wiring" proceeding, in which issues of competitive availability have been aired. See CS Docket 95-184, Comments of March 18, 1996 and Reply Comments of April 17.

^{9/} This is the more modern practice because it is more secure. In the case of a security breach, only the conditional access card or module would have to be replaced. In older systems, serious breaches have required replacement of the entire "box," including receiving circuitry, menu generators, etc., that have nothing to do with security and otherwise would not need to have been replaced.

serious matter that would require Commission attention. We believe, however, that the appropriate solution in such case is to require that IS-105 be brought into conformance with the clear requirements of the 1994 Report and Order, which were confirmed in the 1996 Memorandum Opinion and Order. There are ample additional steps necessary in the completion of this proceeding to accomplish this task.

Early in this proceeding, at the Commission's instance, a "Cable Consumer Electronics Compatibility Advisory Group," or "C3AG," comprised primarily of representatives of the consumer electronics and cable industries, was established to advise the Commission on compliance matters in this proceeding. The C3AG, however, has not yet received any instructions from the Commission with respect to obligations imposed by section 304 of the 1996 Act; nor has the C3AG issued any new instructions in this respect to the Joint Engineering Committee ("JEC") responsible for the IS-105 draft.

As to the issues raised by GI for "clarification," there is nothing in the Memorandum Opinion and Order that needs clarification in order for the C3AG and the JEC to do their jobs. To the extent, however, that the C3AG and JEC may produce draft standards that contravene the Commission's orders, the Commission may need to take further action, in this proceeding and others, to assure results consistent with its orders, by giving further direct guidance to the

C3AG. The Commission may also need to call to the C3AG's attention the import of the provisions of the '96 Act.^{10/}

The changes necessary to IS-105 in order to achieve full and specific compliance with the Commission's orders have been greatly exaggerated in the GI petition. The Decoder-Interface is an "interface" or control/data/signal bus allowing transfer of information between devices residing on the bus. Functions for communicating with the TV, communicating with the system head-end, and with the subscriber are free to reside in any device or devices connected to this bus. Component descramblers properly designed need not and should not do more than contain the "secrets" to unlock (unscramble, decrypt) programming and/or data, and secrets to lock (scramble, encrypt) data, if required, to be returned to the head-end.

A. Functions such as communications can reside in non-security devices on the bus.

There is no reason, inherently or in the IS-105 specification, why communications and other features and functions cannot reside in generic "feature" modules that do not deal with security and are provided competitively, either by system operators or competitive manufacturers and

^{10/} We discuss below the extent to which this may also include section 301(f). The Commission may desire to appoint a more broadly constituted advisory group with respect to achieving compliance with section 304. Nevertheless, to the extent that the C3AG retains a charter from the Commission in this proceeding, it should be obliged to submit standards that conform to the Commission's orders and to the law.

retail providers, or built into new model TVs, VCRs, and computers. Allowing such competition and integration is an important goal both of this proceeding and of section 304 of the 1996 Act.

The GI petition mischaracterizes the draft IS-105 standard in suggesting that it will not support such communication successfully in concert with a descrambler-only module. It will. If any clarification is necessary, it is to the language of the standard, not to the Commission's orders.

Draft IS-105.1, the electrical interface, clearly has the capability in its control/signal lines to support a descrambling-only module. This capability is also inherent in IS-105.2, and its communications protocol. To bring this ability to the fore, it is necessary only to create the specific commands, which are not presently defined. Essentially, this is a process simply of designating the appropriate meanings for sequences of data bits that are unused or currently undefined.

No change is necessary in anything the Commission has done to accomplish this result. The drafters of IS-105.2, which has not yet been balloted, need only receive clear guidance from the C3AG that this result is intended. All the Commission need do is deny the instant baseless, repetitive motion for "clarification," and require that its advisory group follow the Commission's clear and long-standing determinations.

B. The functions described by GI can be performed by feature modules pursuant to IS-105; no combined descrambler/feature module is either defined or necessary.

The notion that IS-105 does not define or support separate descrambler and feature modules is flat wrong. The standard can and does. GI's rendition of the draft IS-105 definitions is misleading, incomplete, and incorrect. The actual definitions are as follows (Revision 6.0, March 12, 1996, page 1):

The Decoder is the product that is external to the cable ready device and is connected via the Decoder Interface. It may provide services or features exclusive of conditional access. Two classes of Decoders are discussed in this standard.

A Descrambler is a Decoder that has the ability to control access to scrambled or encrypted program services.

A Feature Unit is a Decoder that provides services or features exclusive of conditional access.

Nowhere does it say, as GI states, that "a Decoder that provides services or features and access control functions is called a 'Descrambler'."^{11/} Similarly, GI's assertion that "[t]here is no type of Decoder that provides only access control functions" is also flat wrong -- there is, and it is defined clearly and unambiguously in the language quoted above as a "descrambler."

GI's apparent argument -- that because a "decoder," which can include either a descrambler unit or a feature

^{11/} Indeed, a definition of a "descrambler/feature" unit was provided in Revision 5.7, but was deleted because such a term was not used anywhere in the specification.

unit, "may" include services or features other than conditional access, a descrambler unit may also include such other features or services -- is a basic logical fallacy.^{12/}

As we have pointed out above, however, even if GI's interpretation of draft IS-105 were correct, there would be no reason for the Commission to clarify its orders. It is the obligation of the C3AG and the drafters of IS-105 to comply with the Commission's orders, not vice versa.

- C. The fact that CEMA did not elaborate on its "descrambler only" Decoder Interface does not mean that specification of a descrambler-only module would be impractical or inconsistent with IS-105.

GI makes the bootstrap argument that, because CEMA at one time proposed a "descrambler only" interface but did not follow up with documentation, such an interface is inconsistent with or cannot be derived from IS-105. This is incorrect. The descrambler-only proposal (which was supported by Circuit City) was to be a subset of the Decoder Interface. Additional elements of the interface, primarily in IS-105.2, would have been voluntary rather than mandatory. *This does not change the basic nature of the IS-105 design or preclude the successful operation of a descrambler-only module as part of it.*

^{12/} Such reasoning is an example of the classic fallacy: if all cows are animals, and cows may be brown, then all animals may be brown.

As we discuss above, the existing draft IS-105 standard will readily support descrambler-only modules, whether or not it is limited to a "descrambler only" interface. The concept advanced by CEMA (at the time, EIA/CEG) was simply to so limit the interface by making mandatory *only* that part of it necessary to support descrambler-only modules.^{13/} Circuit City thought at the time of this submission and still thinks that this is a feasible, sensible, and readily accomplished alternative. All that would need to be done to the IS-105 draft standard (in addition to the clarifications discussed above) would be to remove mandatory support for anything other than descrambling and to reduce the number of mandatory signal lines.

Again, this is an issue not of clarification of the Commission's orders, which clearly are correct and feasible to implement, but of the Commission's guidance to the C3AG. GI's argument that the absence of a descrambler-only proposal means that one cannot exist is the flip side of its contention that some system operators' desires to integrate security with other features and functions means separation is impossible: in each case there is a desire to flout law and policy, not a question as to the soundness of the Commission's orders.

^{13/} Should the Commission so choose, this result could be an option considered in response to the issues raised in the joint petitions for reconsideration -- but, as we argue below, the Commission should reconsider this subject only in the context of a proceeding to enforce section 304 of the 1996 Act.

D. To the extent any clarification is necessary, it should be of the IS-105 specification rather than of the Commission's orders.

As the joint petitioners note at page 5, the IS-105 standard is still under development in the private sector. The Commission has not yet adopted it as a mandatory standard. Clearly, even if warranted, it would be premature for the Commission, based on the current state of the draft, to change its orders, and ignore a Congressional mandate.

Circuit City is not suggesting, either, that the Commission at this time should intervene to order specific clarifications to the draft standard. However, the Commission has been, and should be, clear about its requirements. It has clearly stated that pursuant to a Decoder Interface standard, system operators will have an obligation to provide descrambler-only modules that perform no function other than security and conditional access. If the Commission takes any action pursuant to GI's request for clarification, it should be to affirm that the IS-105 standard, or any other submitted pursuant to this proceeding or a proceeding under section 304, must provide for such descrambler-only modules. But as the Commission has already said this very clearly, it would appear that no such action is necessary.

III. PURSUANT TO SECTION 304, THE COMMISSION WILL NEED TO PROHIBIT SYSTEM OPERATORS FROM OFFERING DEVICES, WITH WHICH NO COMPETITION IS POSSIBLE, THAT COMBINE SECURITY AND COMPETITIVE FEATURES AND FUNCTIONS.

In proceedings in this docket to date, the Commission has declined to prevent system operators from offering devices that combine security and competitive features and functions, so long as the operator makes security-only modules available. Circuit City believes that this result will need to be changed in light of section 304 of the 1996 Act, and that the provision of such devices will have to be prohibited, both at the "set-back" and the "set-top." As this docket contemplates further proceedings, however, we believe that this action should be taken in conjunction with rulemaking pursuant to section 304. *This is one of many reasons for the Commission to expedite its proceedings under that section.*

In requiring competitive availability of navigation devices (the definition of which clearly covers any and all cable set-top and set-back devices) Congress left no room or rationale for the Commission to fashion any exception for operator-provided devices that integrate security functions with other features. To do so would flatly contradict the congressional intention to make all devices, except those strictly necessary for security, subject to competition.

While, initially, devices bundling security and other features might appear to offer benefits of "integration," in reality the opposite would be true: every device element

integrated into a security module is unavailable for efficient integration into the customer's own equipment. In its report as to the provision that became section 304, the House Commerce Committee observed:

A competitive market in navigation devices and equipment will allow common circuitry to be built into a single box or, eventually, into televisions, video recorders, etc.^{14/}

An exception, not based on security, for integrated devices provided only by system operators would discourage, rather than encourage, the integration of features in devices that are competitively sold. It would also encourage system operators to give their "own" integrated features priority, in system operation, over those provided in competitive products. We have already seen, from the arguments made throughout this proceeding (including the instant petition for clarification) that such feature priority, in support of continued monopoly, remains a goal of those enjoying the largest market shares under the regime that section 304 has ordered dismantled.

IV. THE JOINT PETITIONERS ARE INCORRECT IN ARGUING THAT SECTION 301(f) OF THE 1996 ACT PROHIBITS IMPLEMENTATION OF A DECODER INTERFACE THAT IS CONSISTENT WITH THE MEMORANDUM OPINION AND ORDER.

The joint petitioners argue that section 301(f) ought to be interpreted at this time as constraining the Commission from completing the Decoder Interface in

^{14/} H.R. Rep. No. 204, 104th Cong., 1st Sess., pt. 1 ("House Report").

accordance with the Memorandum Opinion and Order. This argument is premature at best, and ignores section 304 of the same Act, which mandates that the Commission take action necessary to achieve competitive availability of all navigation devices.

Both sections 301(f) and 304 originated in the House Commerce Committee. That Committee's report makes crystal clear that section 301(f) cannot be read as a constraint, in any respect, on the power or authority of the Commission to implement section 304. As the Commission has not yet taken steps to implement section 304, and a descrambler-only module as defined pursuant to the Decoder Interface may be a key element in enforcing section 304, it would be incorrect to decide at this time that the Commission is constrained from implementing a Decoder Interface.

- A. The descrambler-only module as defined in the Memorandum Opinion and Order is a key element of achieving competitive availability of analog navigation devices.

It is long past time that the modern, multi-feature set-top box take its rightful place on the shelves of consumer electronics stores, for sale or rent at retail. This was a main purpose of section 304 of the 1996 Act.^{15/}

The main obstacle to competitive availability has been the cable industry's legitimate concern over security of signal authorization codes. This problem is solved by the

^{15/} See the filings referred to in n. 8.