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May 21, 1998

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Magalie Roman Salas, Secretary
Federal Communications Commission
1919 M Street, NW
Room 222
Washington, DC 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: Summary of Oral Ex Parte Presentation Regarding the
Navigational Devices Proceeding (CS Docket No. 97-80)

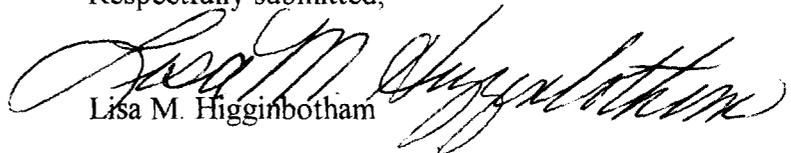
Dear Ms. Salas:

Pursuant to 47 C.F.R. § 1.1206(b)(2), this is to provide notice that on May 21, 1998, Robert Russman, Vice President for New Business Development for StarSight Telecast, Inc. ("StarSight"), Tom Morris, Senior Director, Engineering for StarSight, together with Michael D. Berg of this firm and the undersigned, participated in a conference call with Meryl Icove, Associate Bureau Chief, Cable Services Bureau, Michael Lance, Senior Engineer, Cable Services Bureau, and Dale Hatfield, Chief Technologist, Office of Plans and Policy regarding the above-referenced proceeding.

The discussion focused on two issues: (1) the ability of StarSight's electronic program guide ("EPG") to tune to channels on a multichannel video programming distributor's (MVPD) digital system; and (2) ways in which an MVPD could restrict availability to consumers of EPG data of an unaffiliated provider within the digital MVPD environment. The attached statement confirms and adds to information on these issues.

An original and one copy of this notice is being submitted. Should you have any questions regarding this matter, please contact the undersigned.

Respectfully submitted,


Lisa M. Higginbotham

Attachment

cc: Meryl Icove, Esq., Mr. Michael Lance, Mr. Dale Hatfield
Mr. Robert Russman, Mr. Tom Morris

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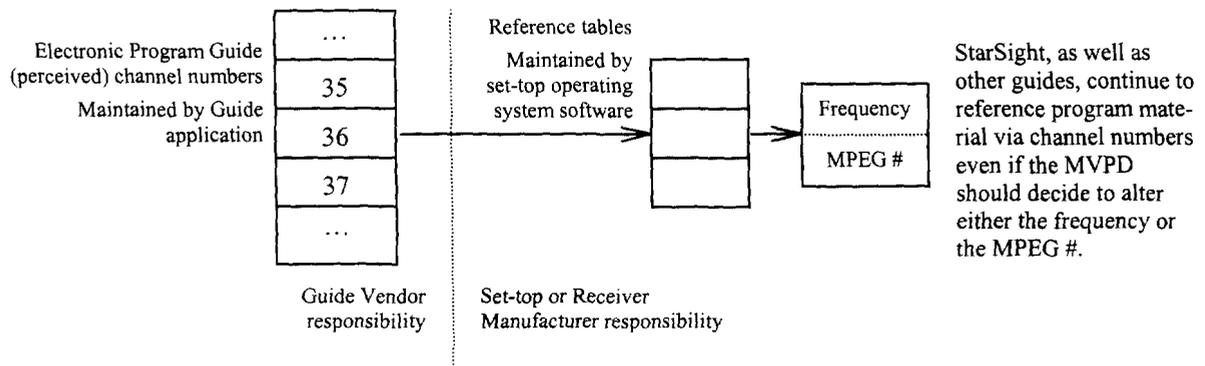
May 21, 1998

Re: Clarification of points for FCC Staff Questions

The following information is submitted to help clear up two points discussed in yesterday's discussion with FCC Staff.

1. Issues pertaining to tuning within a digital MVPD system.

Tuning occurs on two separate levels within a set-top box. This will remain true even with a fully open architecture. The first level of tuning occurs at the channel number that the consumer perceives. This perceived channel number is what the MVPD would provide to StarSight as well as other guide providers, either directly or via a data service bureau with whom StarSight contracts for the data. The second level of tuning occurs at the set-top controller and hardware level. The second level of tuning may, in fact, bear no connection to the first level of tuning.



2. Possibility of restricting electronic program guide data by digital MVPD.

MVPD's maintain direct control of all operations within a set-top receiver. This control capability includes the ability to modify how individual set-tops behave while connected to the MVPD's system. Such control includes what data the set-top receives as well as which electronic program guide may be allowed to operate within a consumers set-top.

Today, it is possible for MVPD's to restrict the distribution of guide data within the current digital and analog cable environment. This may be accomplished by instructing existing hardware to eliminate certain components of the generated signals, such as by stripping of VBI data or the deliberate alteration of an existing digital stream containing otherwise available program information. These and other capabilities are likely to exist in future hardware used by MVPD's as well. An MVPD could, in a digital environment, deliberately withhold information essential to guide operation. Should an MVPD decide to restrict guide data being passed through its system it would, in effect, disable the guide within any set-tops that were attached to the system.

For these reasons it is extremely important that MVPD's pass through any and all information that is pertinent to electronic program guides. Equally important, MVPD's must allow consumers the right to choose which electronic program guide they wish to use without restriction.

Tom Morris
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cc: B. Klosterman, B. Russman