

National Cable Television Association

Neal M. Goldberg
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June 4, 1998

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Mr. William F. Johnson
Deputy Chief, Cable Services Bureau
Federal Communications Commission
2033 M Street, N.W., Room 918
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: **Navigation Devices**
CS Docket No. 97-80

DUPLICATE ORIGINAL

Dear Bill:

As you know, a critical issue in the navigation devices proceeding is the timetable for the availability of the digital security modules which will facilitate the separation of security from non-security functions in digital set-top boxes to be made commercially available. In filings in this docket, NCTA has represented that, consistent with the OpenCable process, digital security modules will be available from cable operators by September, 2000.

Understandably, some have asked why it will take until September, 2000 to produce digital security modules. To address this question, we have submitted a schedule of "interim milestones" indicating the path the OpenCable process is expected to take between now and September, 2000.¹ This schedule demonstrates that the September, 2000 date is an aggressive, but realistic, goal. Moreover, it shows that any earlier deadline would be highly problematic, if not impossible to meet.

These interim milestones will permit the Commission to monitor the progress of the OpenCable project to assure the agency and interested parties that the digital separate security modules will indeed be available from cable operators by September, 2000.

As further evidence of the cable industry commitment to meet the September, 2000 goal, I am attaching a conformed copy of a letter sent to Decker Anstrom, NCTA's President and CEO, from the Presidents and CEOs of major cable operating companies serving nearly 65% of cable subscribers. The signatories include the Chairman of NCTA, the Chairman of CableLabs and the President & CEOs of Tele-Communications, Inc., Time Warner Cable, Jones Intercable, U S WEST Media Group, Marcus Cable, Advance/Newhouse Communications, Cox

¹ See Letters from Neal M. Goldberg, General Counsel, NCTA to William F. Johnson, Deputy Chief, Cable Services Bureau, CS Docket No. 97-80, June 3, 1998 and June 4, 1998.

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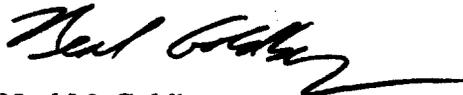
Communications, and Comcast Corporation confirming their support for the timetable NCTA has submitted to the Commission and committing to place purchase orders to ensure that separate digital security modules are available from their companies by September, 2000.

The letter is also signed by Edward Breen, Chairman & CEO of General Instrument Corporation and James F. McDonald, President & CEO of Scientific-Atlanta Corporation, two of the industry's major manufacturers indicating their support of the OpenCable initiative and NCTA's and CableLabs' commitments relating to the availability of separate digital security modules by the dates specified in the schedule submitted to the FCC.

To our knowledge, NCTA is the only party in this proceeding to submit such detailed record evidence in support of a realistic timetable for the commercial availability of the separate digital security module. Any earlier deadline would have no basis in fact or in the record of this proceeding. More importantly, an earlier deadline would appear to fly in the face of the statutory mandate that the FCC "consult[] with appropriate industry standard-setting organizations" in adopting regulations.

I hope the information will be useful in the Commission's deliberations in this complicated proceeding.

Sincerely,



Neal M. Goldberg

Attachment

NMG:tkb

cc: Magalie Roman Salas, Secretary, for inclusion in Docket No. 97-80
Chairman William Kennard
Commissioner Susan Ness
Commissioner Michael Powell
Commissioner Harold Furchtgott-Roth
Commissioner Gloria Tristani
Susan Fox, Office of Chairman Kennard
Anita Wallgren, Office of Commissioner Ness
Jane Mago, Office of Commissioner Powell
Rick Chessen, Office of Commissioner Tristani
Paul Misener, Office of Commissioner Furchtgott-Roth
Helgi Walker, Office of Commissioner Furchtgott-Roth
Karen Kornbluh, Deputy Chief, Mass Media Bureau
Dale Hatfield, Chief, Office of Engineering and Technology
Robert S. Schwartz, Esquire, Counsel to Circuit City Stores, Inc.

June 3, 1998

Mr. Decker Anstrom
President
National Cable Television Association
1724 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Dear Decker:

This letter will confirm our complete support of NCTA's and CableLabs' commitments relating to the development of OpenCable recommended specifications for a digital separate security module and its interface with a host box by no later than December 1998.

In addition, our companies commit to place purchase orders to ensure that separate digital security modules are available from our companies by September 2000 in quantities sufficient to meet consumer demand.

Sincerely,

\s\ Leo J. Hindery, Jr.
Leo J. Hindery, Jr.
NCTA Chairman
President, Tele-Communications, Inc.

\s\ Joseph J. Collins
Joseph J. Collins
Chairman & CEO, Time Warner Cable

\s\ Glenn R. Jones
Glenn R. Jones
Chairman & CEO, Jones Intercable

\s\ Charles M. Lillis
Charles M. Lillis
President & CEO, US West Media Group

\s\ Jeffrey A. Marcus
Jeffrey A. Marcus
Chairman & CEO, Marcus Cable

\s\ Robert Miron
Robert Miron
President, Advance/Newhouse Comm.

\s\ James O. Robbins
James O. Robbins
President & CEO, Cox Communications

\s\ Brian L. Roberts
Brian L. Roberts
President, Comcast Corporation

\s\ Dr. John C. Malone
Dr. John C. Malone
Chairman, CableLabs
Chairman, Tele-Communications, Inc.

As major manufacturers to the cable television industry, our companies fully support the OpenCable initiative, and NCTA's and CableLabs' commitments relating to the availability of separate digital security modules by the dates specified above.

\s\ Edward Breen

Edward Breen

Chairman & CEO, General Instrument

\s\ James F. McDonald

James F. McDonald

President & CEO, Scientific-Atlanta, Inc.