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October 13, 1998

BY HAND

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, D.C. 20554

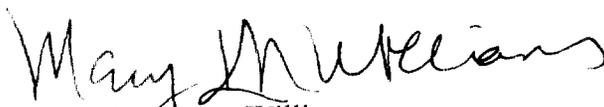
Re: In the Matter of Implementation of Section 304 of the
Telecommunications Act of 1996;
Commercial Availability of Navigation Devices
CS Docket No. 97-80

Dear Ms. Roman Salas:

Enclosed please find copies of the Motions for Leave to Intervene filed by the Association for Maximum Service Television, Inc. ("MSTV") in the actions seeking review of the Commission's Report and Order in the above-referenced proceeding (*General Instrument Corp. & Echelon Corp. v. FCC*, Consolidated Cases No. 98-1420 and 98-1423 in the Court of Appeals for the D.C. Circuit and *Scientific-Atlanta, Inc. v. FCC*, Case No. 98-9155 in the Court of Appeals for the Eleventh Circuit). Please place the copies in the docket file of the above-referenced proceeding.

Please direct any questions to the undersigned

Respectfully submitted,


Mary Newcomer Williams
Attorney for MSTV

copies received 10/17/98
DE

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA

90. 1008

GENERAL INSTRUMENT CORPORATION)	
and ECHELON CORPORATION,)	
Petitioners)	
)	
v.)	Consolidated Case
)	Nos. 98-1420 and 98-1423
FEDERAL COMMUNICATIONS COMMISSION and)	
UNITED STATES OF AMERICA,)	
Respondents)	
)	

MOTION FOR LEAVE TO INTERVENE

The Association for Maximum Service Television, Inc. ("MSTV") hereby moves, pursuant to 28 U.S.C. § 2348, 47 U.S.C. § 402(e) and Rule 15(d) of the Federal Rules of Appellate Procedure, to intervene in the above-captioned consolidated appeals/petitions for review of the decision of the Federal Communications Commission ("FCC") in *Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices*, CS Docket No. 97-80, FCC 98-116 (released June 24, 1998).

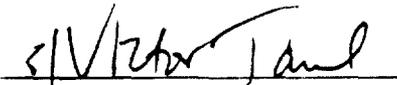
MSTV is a national, non-profit membership organization representing local television stations in regulatory, legislative and judicial proceedings. For more than 40 years, MSTV has acted to safeguard consumers' access to their local broadcast television service. MSTV is a major participant in the FCC's rulemaking proceedings on the implementation of digital broadcast television ("DTV"). MSTV's members have a keen interest in the subject of the proceeding that has been brought before the Court in the above-captioned action (the

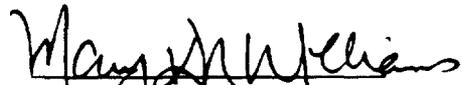
"Navigation Devices Proceeding"). This proceeding deals with how "navigation devices," which are used by subscribers to cable and other multichannel video programming services to access video programming, will be made commercially available. The rules that the FCC has adopted or might adopt in its Navigation Devices Proceeding will have a tremendous impact on the implementation of DTV. These rules bear directly on whether and how consumers will access DTV services through navigation devices.

MSTV participated in the Navigation Devices Proceeding. It and its members will be directly affected by any action of this Court reversing, remanding, suspending, enjoining or requiring modification of the FCC's decisions. Accordingly, MSTV respectfully requests that it be permitted to intervene in this proceeding.

Respectfully submitted,

**THE ASSOCIATION FOR MAXIMUM
SERVICE TELEVISION, INC.**


Victor Tawil
Senior Vice President
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Its Attorneys

October 9, 1998

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

GENERAL INSTRUMENT CORPORATION and
ECHELON CORPORATION,

Petitioners

v.

FEDERAL COMMUNICATIONS COMMISSION and
UNITED STATES OF AMERICA,

Respondents

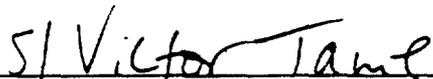
Consolidated Case
Nos. 98-1420 and 98-1423

CORPORATE DISCLOSURE STATEMENT

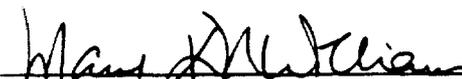
The Association for Maximum Service Television, Inc. ("MSTV") provides this information pursuant to Rule 26.1 of the Circuit Rules for the District of Columbia Circuit and Rule 26.1 of the Federal Rules of Appellate Procedure. MSTV, a non-profit trade association as defined by Circuit Rule 26.1(b), represents more than 300 of the nation's television stations in regulatory, legislative and judicial proceedings on issues relating to the implementation of digital broadcast television. MSTV has no parent companies, no subsidiaries and no affiliates that have issued shares or debt securities to the public.

Respectfully submitted,

**ASSOCIATION FOR MAXIMUM
SERVICE TELEVISION, INC.**



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Dated: October 9, 1998

Its Attorneys

CERTIFICATE OF SERVICE

I, Mary Newcomer Williams, do hereby certify that on this 9th day of October 1998, I have served a copy of the foregoing document via Federal Express 2nd-day delivery, pre-paid, to the following:

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