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Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: *Ex Parte*, CS Docket No. 97-80, MB Docket Nos. 12-328 & 15-64

Dear Ms. Dortch:

This is to inform you that on November 3, 2015, Matthew Zinn, Senior Vice President, General Counsel, Secretary & Chief Privacy Officer of TiVo Inc. ("TiVo") and the undersigned (collectively, the "TiVo representatives") met with: (1) Bureau Chief Bill Lake, Michelle Carey, Nancy Murphy, Alison Neplokh, Brendan Murray, Steve Broeckaert, Mary Beth Murphy, and Lyle Elder of the Media Bureau; (2) Scott Jordan, Chief Technology Officer, and (3) Jessica Almond, Legal Advisor to Chairman Wheeler. Alison Neplokh and Brendan Murray also attended the meeting with Mr. Jordan, and Dr. Joseph Weber, Chief Technical Officer for the Service Provider Business Unit of TiVo, called in.

Consistent with its filings in MB Docket No. 15-64, TiVo expressed its support for the ongoing efforts to introduce effective retail competition in the navigation devices market and urged the Commission to adopt a Notice of Proposed Rulemaking following the efforts of the Downloadable Security Technical Advisory Committee ("DSTAC"). TiVo also emphasized the need to ensure the continued viability of retail

navigation devices pending the outcome of such a rulemaking proceeding, including the continued provision and support by operators of CableCARDS for retail devices.¹

Specifically, the TiVo Representatives expressed concerns regarding the continued supply of CableCARDS to retail devices in light of language contained in the Commission's 2013 waiver of the integration ban permitting Charter to stop provisioning new CableCARDS to consumers once a third-party device compatible with Charter's downloadable security is available for purchase at retail -- even if no consumers actually purchase or are even aware of the availability of such device.² The TiVo Representatives urged the Commission to act on its pending Petition for Reconsideration³ to clarify that Charter must continue to provide and support CableCARDS to preserve retail choice until post-CableCARD successor solutions that enable retail competition are widely deployed and consumers no longer need or desire to use CableCARDS. The TiVo Representatives explained that the very predicate for a functioning retail market is that consumers and manufacturers have certainty that navigation devices purchased at retail will continue to be able to receive the cable signals that consumers have bought.

Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "T. Devendra Kumar". The signature is written in a cursive style with a horizontal line underlining the name.

Henry Goldberg
Devendra T. Kumar
Attorneys for TiVo Inc.

¹ TiVo has previously explained why operators' obligation to provide CableCARDS remains in place following the D.C. Circuit's 2013 decision in *EchoStar Satellite L.L.C. v. FCC*, 704 F.3d 992 (D.C. Cir. 2013), but has also urged the Commission to provide clarity and certainty given contrary press reports and statements by some operators. See TiVo Inc. Reply to Opposition, MB Docket No. 12-328, CS Docket No. 97-80, at 2-7 (filed June 10, 2013).

² *Charter Communications, Inc. Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, MB Docket No. 12-328, Memorandum Opinion and Order, DA 13-788, at 8 n.65 (rel. Apr. 18, 2013).

³ Petition for Reconsideration of TiVo Inc., MB Docket No. 12-328, CS Docket No. 97-80 (filed May 20, 2013).

cc: Bill Lake
Michelle Carey
Nancy Murphy
Alison Neplokh
Brendan Murray
Mary Beth Murphy
Steve Broeckaert
Lyle Elder
Scott Jordan
Jessica Almond