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WASHINGTON | NEW YORK | SAN FRANCISCO | LONDON

February 2, 2016

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth St., S.W.
Washington, DC 20554

Re: In the Matter of Media Bureau Request for Comment on DSTAC Report, MB Dkt. No. 15-64, CS Docket No. 97-80

Dear Ms. Dortch:

On February 2, 2016, the undersigned, on behalf of Hauppauge Computer Works, Inc., met with Holly Saurer, Legal Advisor to Commissioner Mignon Clyburn, and intern Karl Gerner of Commissioner Clyburn's office, with respect to the above entitled matter. On behalf of Hauppauge the undersigned urged that the Commission should proceed to a rulemaking based on Chairman Wheeler's pending proposal¹ and the record established in the DSTAC Report² and in filings in response to the Media Bureau's Public Notice.³

The undersigned recounted that Hauppauge is an independent designer and seller of personal computer based CableCARD products. Hauppauge's ability to continue to compete and to offer innovative products in the future will depend on the ability to provide customers, who are MVPD subscribers, with access to video programming they are paying for, through a competitive user interface.

The undersigned recounted that: Hauppauge President Ken Plotkin had been present at a December 10, 2016 demonstration of "Virtual Headend" technology that was prepared and presented by a Hauppauge senior engineer in collaboration with other members of the Consumer Video Choice Coalition.⁴ The technology demonstrated on December 10 and again on

¹ Fact Sheet, *FCC Chairman Proposal To Unlock The Set-Top Box: Creating Choice and Innovation*, rel. Jan. 27, 2016, <https://www.fcc.gov/document/fcc-proposal-unlock-set-top-box>.

² The DSTAC Final Report and related material are collected by the Commission at <https://www.fcc.gov/about-fcc/advisory-committees/general/downloadable-security-technology-advisory-committee>.

³ *Media Bureau Seeks Comment on DSTAC Report*, MB Docket No. 15-64, Public Notice, DA 15-982 (rel. Aug. 31, 2015).

⁴ See *ex parte* letter of Angie Kronenberg, Chief Advocate & General Counsel, INCOMPAS, on behalf of Consumer Video Choice Coalition, Dec. 14, 2015.

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December 14⁵ to FCC staff was of the same technology based on DSTAC “Virtual Headend” recommendations that was described and explained in the *ex parte* letter and detailed explanation of CVCC member Public Knowledge on October 20, 2015;⁶ and that the December 10 and 14 FCC staff demonstrations were the same demonstrations later conducted for congressional staff, by the same software engineers from Hauppauge and Google, on January 29, 2016.

The undersigned further recounted that, as explained by *ex parte* letter and at these demonstrations, MVPDs can implement a Virtual Headend in the home in several ways based on what is easiest for the MVPD system; the Virtual Headend can be a software addition to existing equipment; and nothing about the Virtual Headend technology requires a separate “box” or the use of additional power.

The technologies proposed in the DSTAC report are well known to both MVPD and consumer industries; the main issue is whether or not these technologies will support competitive choice of user interface and programming, or will be locked to support only MVPD provided devices and user interfaces. With respect to contractual and privacy obligations, the undersigned noted that as a member of the Consumer Video Choice Coalition, Hauppauge supports the Coalition statements made in filings with the Commission.⁷

This letter is being provided to your office in accordance with Section 1.1206 of the Commission’s rules.

Respectfully submitted,

Robert S. Schwartz

Robert S. Schwartz
Counsel

Cc:
Holly Saurer
Karl Gerner

⁵ See *ex parte* letter of Angie Kronenberg, Chief Advocate & General Counsel, INCOMPAS, on behalf of Consumer Video Choice Coalition, Dec. 16, 2015.

⁶ See *ex parte* letter of Public Knowledge, Oct. 20, 2015 and *ex parte* letters of Consumer Video Choice Coalition, Jan. 21, 2016, and Jan. 26, 2016 at 3 and notes 8 and 10.

⁷ See Coalition *ex parte* letters of Jan. 14 and 26, 2016.