



Before the

**FEDERAL COMMUNICATIONS COMMISSION**

Washington, DC 20554	)	
In the Matter of	)	
	)	
Expanding Consumers' Video Navigation	)	MB Docket No. 16-42 Choices
	)	
	)	
Commercial Availability of Navigation	)	CS Docket No. 97-80 Devices
	)	
	)	

**COMMENTS OF REMOTE TELEPOINTER, LLC  
(DBA: RTP HOLDINGS)  
(DBA: LOKITA SOLUTIONS)**

Charles E. (Chet) Dagit III  
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4/22/16



Mr. Tom Wheeler  
Chairman  
FCC  
445 12th Street SW  
Washington, DC 20554

**Dear Chairman Wheeler and Commissioners,**

RTP Holdings LLC (“RTP”) hereby submits comments in response to the Notice of Proposed Rulemaking (“NPRM”) issued in the above-captioned dockets.

The NPRM seeks to promote competitive alternatives to traditional cable set-top boxes. As a startup company focused on innovative content discovery, navigation, and delivery, particularly in mobile and omnichannel user engagements, improving competitive choices for consumers, and options for smaller service providers, is paramount for our common goal. The language of the NPRM, as it was released on February 18<sup>th</sup>, 2016, lacks specific detail on how new rules might be implemented, making it challenging for anyone in the industry to have certainty that new rules would be beneficial to their business, or for consumers.

While the Commission has publicized the cost-to-the-consumer for leasing set-top boxes, as the driving force behind the #UnlockTheBox campaign, the reality of the marketplace is far from that simple. It is true that the cost to lease a set-top box is outrageous to many, and it is a populous hot button for the vast majority of commenters on this NPRM. That cost is also driving consumers, particularly the younger demographic, to cut the cord, driving demand for more OTT competition. There have also been set-top alternatives available for many years from companies like TiVo, but they come with higher up-front first year costs, so consumers have chosen to lease, and have opted for the convenience of a turn-key service from the MVPD at a higher price.

At RTP, we believe Open Standards are “good”, usually are for the greater good, and most often lead to competition and lower prices, so Open Standards are a great goal of the NPRM. In our opinion any new rules adopted must meet the following criteria:



1. Must not require new hardware, and must allow for software only solutions, such as Apps.
2. Will protect and preserve content creators' copyrights.
3. Maintains the consumer privacy protections that the TV distribution industry has been required to adhere to in the past.

The previous AllVid approach to address walled garden set-top gatekeepers was dropped for these same concerns, and mainly because it specified a mandate for new hardware in consumers' living rooms. Consumers don't want more hardware to be required for them to buy, and install, and maintain to make their entertainment centers work. Software-only solutions to content discovery and security have been proven in the marketplace. If AllVid had been adopted, it would have been worse for consumers and businesses than CableCARD was.

The MVPD separated two key elements of the set-top box regime.

- Content and Metadata, for Discovery and Navigation
- Security and Copyright Protection

These two areas must be unbound from each other in any new regime. The commission must also allow for Security and copy protection to be applied to Metadata so that new services and business models are not impeded by any new rules.

While we agree that Open Standards will benefit the industry, we do not believe that the FCC should be involved in picking standards bodies for the industry, or in picking favorites of the various communications industry coalitions. The DLNA's VidiPath, for example, seems to be a viable path forward for many MVPDs on the Content Security front, however services providers should be left with options to evaluate which standards meet their business needs. An area of ambiguity in the NPRM is who will enforce compliance or certification that 3<sup>rd</sup> parties should get and continue to have access to pass-through programming information. Since this area is legally challenging, any new rules adopted must allow for commercial agreements with regard to access to programming data and content rights. We suggest any rules adopted contemplate an industry coalition to enforce data and API access rules and to resolve disputes, similar to how a standards body would ratify and approve technical challenges.

**Best Regards,**

Chet Dagit – Founder and Managing Director – RTP Holdings – Lokita Solutions

