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Home
Recording
Rights
Coalition

May 4, 2001

VIA MESSENGER

RECEIVED

Ms. Magalie R. Salas
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

MAY - 4 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

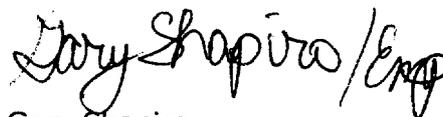
Re: Written *Ex Parte* Presentations; *In the Matter of Commercial Availability of Navigation Devices*; CS Docket No: 97-80, PP Docket 00-67

Dear Ms. Salas:

The Home Recording Rights Coalition respectfully requests that the enclosed written *ex parte* letters to Chairman Powell be entered into the record in the above-mentioned proceedings.

In accordance with Section 1.1206 of the Federal Communications Commission rules, two copies of the written *ex parte* package are being provided to your office for each docket. Copies of this notice and the attached written *ex parte* package have also been delivered to the parties listed below.

Very truly yours,



Gary Shapiro
Chairman

Ms. Magalie R. Salas

Page 2

May 4, 2001

cc: Chairman Michael Powell
Honorable Susan Ness
Honorable Gloria Tristani
Honorable Harold Furchtgott-Roth
Deborah Lathen, Chief, Cable Services Bureau
William Johnson, Deputy Chief, Cable Services Bureau
Deborah Klein, Division Chief, Consumer Protection & Competition Division
Robert M. Pepper, Chief, Office of Plans & Policy
Amy Nathan, Senior Legal Counsel, Office of Plans & Policy
Jonathan Levy, Economist, Office of Plans & Policy
Rick Chessen, Mass Media Bureau
Bruce Franca, Acting Chief, Office of Engineering & Technology
Alan Stillwell, Office of Engineering & Technology

Home Recording Rights Coalition

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**FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY**

Chairman Michael K. Powell
Federal Communications Commission
445 12th Street, S.W.
Room 8-B201
Washington, D.C. 20544

Re: Commercial Availability of Navigation Devices, CS Docket 97-80, PP
Docket 00-67

Dear Chairman Powell:

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List A B C D E

The Home Recording Rights Coalition ("HRRC") was founded in 1981 when a potentially revolutionary product -- the VCR -- faced legal obstacles in coming to market. Having long sought to promote the introduction of consumer-friendly new technology, the HRRC is vitally interested in a speedy, successful, competitive, and fair transition to DTV. Consumers have waited long enough for cable licensing, copyright and compatibility issues to be worked out so as to make DTV receivers a better investment. We urge you, as Chairman, to move these existing FCC dockets forward so as to achieve a competitive, fair, and reliable basis for consumer entry into the digital home video age.

We believe there are several steps that can be taken, now, to break the deadlocks and overcome the uncertainties and inequities that have hampered the DTV transition:

- (1) The cable industry "PHI" license should be published for public comment. HRRC and others have raised several issues as to whether particular restrictions in drafts of this license overreach FCC regulations that limit the nature of restraints placed on licensees (and thereby on consumers). The Commission has decided only that restrictions in favor of copy control are not ruled out *per se* by existing regulations, but has not passed on the status of particular restraints. These and other pending issues need to be resolved through public comment, as occurred in the instance of telephone equipment deregulation.
- (2) The "Year 2000 Review" as to competitive availability of navigation devices should be concluded expeditiously. This July, a year will have passed since the July 1, 2000 deadline for cable industry support for DTV and other cable-ready products, yet no competitive entry has occurred. Comments and proposals as to

A coalition of consumers, retailers, manufacturers and servicers of video and audio recording products.

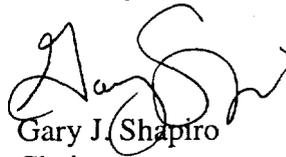
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info@hrrc.org www.hrrc.org

measures necessary to achieve a competitive "level playing field" have been before the Commission since late last year. It is time to act.

- (3) The Commission should establish clear priorities for moving the DTV transition forward. We recognize that calls for mandating broadcast DTV tuners in standard analog televisions reflect frustration with delays in deployment of consumer DTV products. Yet there would be five times the competitive impact, and much greater incentives for transmission of broadcast and cable HDTV programming, were the Commission to finish the job of assuring that cable-ready DTV receivers are provided equal support by cable systems. Almost a year after the Commission's deadline, cable industry standards and practices still do not support reliable manufacture of, or consumer investment in, cable-ready digital television receivers. Support for cable-ready DTV receivers would *lower* the cost of DTV products to consumers, by eliminating the redundancy of converter boxes. (By contrast, a tuner mandate for analog receivers would sharply *raise* consumer costs, through the mandated addition of digital processing and memory circuitry that will be wholly redundant for the majority of consumers who are cable and satellite subscribers, yet would not assure a true DTV presentation.)

HRRC has participated in these dockets related to navigation devices because the decisions pending at the Commission will have major impacts on whether consumers will be treated fairly in their viewing and home recording practices. We pledge our cooperation and participation as the Commission moves forward to bring finality to these important issues.

Sincerely,



Gary J. Shapiro
Chairman

cc: Magalie R. Salas (CS Docket No. 97-80 and PP Docket No. 00-67)
Honorable Susan Ness
Honorable Gloria Tristani
Honorable Harold Furchtgott-Roth
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