



August 14, 2003

Susan Mort, Esq.
Attorney Advisor, Media Bureau
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: PP Docket No. 00-67; CS Docket No. 97-80

Dear Ms. Mort:

I am writing to respond to questions you have raised regarding certain of the “Recommended Regulations” submitted to the Commission on December 19, 2002 by cable multiple system operators and consumer electronics (“CE”) manufacturers to implement their Plug and Play Agreement on cable-consumer electronics compatibility (“Agreement”). Both the cable and CE negotiators have authorized me to submit this response.

First you have asked us to clarify the negotiators’ intentions with regard to the scope of the proposed labeling requirement. As you point out, there appears to be an inconsistency in the references to that requirement in some of the documents associated with the Agreement. This is to clarify that subsection (d) of the “Recommended Regulations” (under the section captioned “Unidirectional Digital Cable Products”) should read as follows (with the substituted word underlined):

“Before a manufacturer’s first Unidirectional Digital Cable Product may be labeled or marketed (as the term “marketed” is defined at subsection ____ (b) above) as [“XXX” or “XXX plus YYY”] a manufacturer shall self-certify according to the following definitions and procedures.”

Second, you have asked us to better describe the entities that will develop the Test Suite referenced in subsection (d)(1)(i) (“Definitions” – “Test Suite”) of the Recommended Regulations. We would suggest the following language be used in the proposed definition of “Test Suite” in that subsection (with the substituted words underlined):

“Test Suite is the set of tests jointly developed and mutually agreed by an organization whose members include cable system operators serving the majority of cable subscribers in the country and a consumer electronics organization representing the majority of television manufacturers that can be directly attributed to an applicable normative requirement of one or more of the following standards: [the remainder of the section remains the same].”

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Third, you correctly pointed out that the definition of Unidirectional Digital Cable Products (“UDCP”) in the section bearing that caption on page two of the Recommended Regulations appears to be broader than intended. To address this concern we suggest modifying the definition of UDCP in subsection (a) under the section captioned “Unidirectional Digital Cable Products” as follows (with the additional words underlined):

“The requirements of this section shall apply to Unidirectional Digital Cable Products. Unidirectional Digital Cable Products are one-way devices that accept PODs which include, but are not limited to televisions, set-top boxes and recording devices, connected to digital cable systems.”

I hope this serves to clarify the provisions of the Recommended Regulations about which you asked. If you have any further questions, please do not hesitate to contact me.

Sincerely,

/s/ Neal M. Goldberg

Neal M. Goldberg

cc: Marlene H. Dortch (for inclusion in PP Docket No. 00-67; CS Docket No. 97-80)
Michael Petricone, Vice President, Technology Policy, CEA