

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Digital Audio Broadcasting Systems	)	
And Their Impact on the Terrestrial	)	MM Docket No. 99-325
Radio Broadcast Service	)	

**REPLY COMMENTS OF THE CONSUMER ELECTRONICS ASSOCIATION**

The Consumer Electronics Association (“CEA”) hereby submits these Reply Comments in response to the Commission’s Further Notice of Proposed Rulemaking (“FNPRM”) and Notice of Inquiry appended to the FNPRM in above-captioned docket.<sup>1</sup>

**I. THE COMMISSION SHOULD REFRAIN FROM IMPOSING MANDATORY RECEIVER DESIGN STANDARDS.**

While CEA’s Comments in this proceeding focused on the issues raised in NOI,<sup>2</sup> CEA supports several of the views expressed by commenters in the FNPRM. CEA has long advocated the position that the Commission should refrain from mandating requirements on the design of consumer electronics. This proceeding is no exception, and CEA advocates the view that the Commission should not impose mandatory requirements on receiver design. CEA, therefore, supports the comments of Kenwood USA Corporation.<sup>3</sup>

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<sup>1</sup> *In the Matter of Digital Broadcasting Systems and Their Impact on the Terrestrial Radio Broadcast Service*, Further Notice of Proposed Rulemaking and Notice of Inquiry, MM Docket No. 99-325, FCC 04-99 (rel. Apr. 20, 2004) (“FNPRM and NOI”).

<sup>2</sup> Comments of the Consumer Electronics Association, filed June 16, 2004, at 12 (“CEA Comments”).

<sup>3</sup> Comments of Kenwood USA Corporation, filed June 16, 2004 (“Kenwood Comments”).

CEA appreciates the concerns expressed by the International Association of Audio Information Services (IAAIS)<sup>4</sup> and the Minnesota State Services for the Blind<sup>5</sup> regarding accessibility to DAB receivers. CEA believes, however, that any measures to impose requirements on receiver design would delay the successful deployment of digital audio broadcasting and therefore, opposes any regulatory mandates on receiver design. CEA further advocates that preserving innovation in receiver design will enable industry to develop and bring to market new products and services.

Kenwood appropriately notes that the Commission should continue to support Reading Services in ways compatible with the goal of eventual inexpensive mass-market products.<sup>6</sup> CEA agrees.

## II. **ALLOWING MULTICASTING AND DATACASTING IN DIGITAL RADIO SIGNALS SERVES SEVERAL IMPORTANT PUBLIC INTEREST GOALS.**

Several commenters encourage the Commission to allow multicasting of audio streams and multiple datacasting transports in digital radio signals.<sup>7</sup> CEA agrees and believes that multicasting and datacasting will spur the advancement of DAB in the marketplace. CEA supports the view expressed by Microsoft that multicasting and datacasting will encourage consumers “... to transition to DAB if the service offers a greater variety of content than is currently available ...”<sup>8</sup>

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<sup>4</sup> Comments of the International Association of Audio Information Services (IAAIS), filed June 16, 2004 (“IAAIS Comments”), at 3.

<sup>5</sup> Comments of Minnesota State Services for the Blind, filed June 16, 2004, at 3.

<sup>6</sup> Kenwood Comments, at 10.

<sup>7</sup> Comments of Microsoft Corporation, filed June 16, 2004, at 2 (“Microsoft Comments”); Comments of iBiquity Digital Corporation, filed June 16, 2004, at 14, 17 (“iBiquity Comments”); Comments of National Public Radio, filed June 16, 2004, at 2, 13 (“NPR Comments”); Kenwood Comments, at 3.

<sup>8</sup> Microsoft Comments, at 2.

CEA agrees with Kenwood that the marketplace ultimately should set the pace in this area and that broadcasters and listeners ultimately should determine the number of audio streams needed to meet their different programming and listening requirements.<sup>9</sup> The ability to broadcast compelling programming will spur the development of products that enable broadcasters and consumers to realize the full benefits of DAB. National Public Radio appropriately recognizes that the availability of new and diverse programming “will drive consumer acceptance of digital radio and the deployment of new digital radio receivers.”<sup>10</sup> CEA, therefore, strongly encourages the Commission to adopt a flexible policy for multicasting and datacasting so that the full potential of DAB can be realized.

### **III. MOST COMMENTERS AGREE THAT THE CONTENT CONTROLS ON DIGITAL AUDIO BROADCASTING ARE INAPPROPRIATE**

In its Comments, CEA demonstrated that it would be unfounded and inappropriate for the Commission to take any further steps with respect to its content protection NOI, and that this inquiry should not provide any basis or occasion for slowing down the implementation of DAB. With respect to this NOI, CEA fully endorses the Comments and the Reply Comments of the Home Recording Rights Coalition, of which CEA is a member.

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<sup>9</sup> Kenwood Comments, at 7.

<sup>10</sup> NPR Comments, at 7.

## VI. CONCLUSION

For the foregoing reasons, CEA urges the Commission to proceed with the rapid deployment of DAB services and technologies to fully serve the interests of U.S. consumers and industry.

Respectfully submitted,



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