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December 7, 2004

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

**Re: Ex Parte Presentation, CS Docket No. 97-80**

Dear Ms. Dortch:

On Monday, December 6, 2004, David Housman, Vice President of Corporate Development of Charter Communications, Paul Glist of the law firm of Cole, Raywid and Braverman, and Al Mottur of the law firm of Brownstein Hyatt Farber met in separate sessions with Johanna Shelton, Advisor for Media Issues to Commissioner Adelstein; Stacy Fuller, Legal Advisor to Commissioner Abernathy; Dan Gonzalez, Senior Legal Advisor to Commissioner Martin; Jonathan Cody, Legal Advisor to Chairman Powell, Erin Dozier, Media Bureau; and Jordan Goldstein, Senior Legal Advisor to Commissioner Copps. During the meeting, we discussed why the July, 2006 ban on cable operator deployment of integrated set-top boxes should be eliminated or, at minimum, postponed.

In particular, we explained how Charter had actively supported the developing market in one-way CableCARD-enabled devices, through technical support for CableCARDs, promotions of CableCARDs, troubleshooting new technology issues for CE companies, and free lab time for CE companies in Charter's NOC, all without the need for Charter to rely on CableCARDs for leased set-top boxes. Charter's interest in promoting a retail market has been more than sufficient incentive. We explained how mandating the use of CableCARDs in leased set-top boxes would increase consumer costs and frustrate the transition of cable systems from analog to "all digital," because the devices needed to maintain service to the many legacy devices inside

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the home would dramatically increase in cost. Mandating the use of CableCARDS in leased set-tops would also cause the immediate redeployment of company resources away from all-digital deployments and other innovations.

Sincerely,

Paul Glist

cc: Johanna Shelton  
Stacy Fuller  
Dan Gonzalez  
Jonathan Cody  
Erin Dozier  
Jordan Goldstein