



Consumer Electronics Association

2500 Wilson Blvd.  
Arlington, VA  
22201-3834 USA  
(866) 858-1555 toll free  
(703) 907-7600 main  
(703) 907-7601 fax  
www.CE.org

June 2, 2005

VIA ECFS

Ms. Marlene H. Dortch  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20554

Re: *Ex Parte* Communications in ET Docket 05-24

Dear Ms. Dortch:

This is to notify you that on June 1, 2005, Gary Shapiro (President and CEO, Consumer Electronics Association), Mike Vitelli (Senior Vice President, Best Buy), Robert Schwartz (McDermott Will & Emery and counsel to the Consumer Electronics Retailers Coalition ("CERC")), Steve Cannon (Constantine Cannon and counsel to Circuit City), and the undersigned met with Chairman Kevin Martin and Catherine Bohigian, Senior Legal Advisor to Chairman Martin.

Our meetings pertained to the Commission's Notice of Proposed Rulemaking ("NPRM") regarding requirements for digital television receiving capability and the petition of CEA and CERC to modify the schedule for phasing in digital tuners to mid-size television sets. We urged the Commission to adopt the proposals on which the Commission invited specific discussion in the NPRM: (1) to advance the effective date of regulation governing television receivers of 25 inches to 36 inches from July 1, 2006 to March 1, 2006; and (2) to dispense with the counterproductive "50 percent" regulation, applicable to the same size category, that would otherwise take effect on July 1, 2005.

On behalf of CEA, CERC, and their members, we reviewed the points made in the CEA and CERC reply comments, specifically that the proposed changes to the mid-size television regulations would result in the optimal balance between the Commission's regulations and real-world product supply and consumer demand; would accelerate rather than retard the DTV transition; and would result in the least number of consumers losing affordable access to products and services on which they rely.

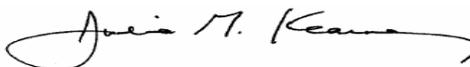
In light of these facts, we discussed all facets of the CEA and CERC petition and emphasized that each element of the petition has independent merit. Specifically, we suggested that if the Commission cannot accept the CEA-CERC proposal, that it accelerate to March 1, 2006 the date by which 100-percent of all "mid-size" television sets include

Ms. Marlene Dortch  
June 2, 2005  
Page 2

digital tuners and to delay the 50-percent requirement by four months, to take effect on November 1, 2005. This proposal would allow market forces to work and would further serve the public interest.

This letter is being provided to your office in accordance with Section 1.1206 of the Federal Communications Commission rules. A copy of this letter has been delivered by e-mail to the meeting participants.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Julie M. Kearney", with a long, sweeping horizontal flourish extending to the right.

---

Julie M. Kearney  
Senior Director and Regulatory Counsel

cc: The Honorable Kevin Martin  
Catherine Bohigian