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2 June 2005

Ex Parte – Electronic Filing

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

Re: Requirements for Digital Television Receiving Capability, ET Docket No. 05-24

Dear Ms. Dortch:

On Wednesday, 1 June 2005, Kerry Murray and John Medica of Dell Inc. and undersigned counsel met respectively with Catherine Bohigian, senior legal advisor to Chairman Martin, Jordan Goldstein, senior legal advisor to Commissioner Copps, and Matthew Brill, senior legal advisor to Commissioner Abernathy, regarding the above-captioned docket.

We indicated that Dell supported the proposal, originally advanced by the Consumer Electronics Association and the Consumer Electronics Retailers Coalition, to eliminate the scheduled July 1, 2005 date for 50 % of new TV receivers with screen sizes 25 to 36 inches to include over-the-air DTV tuners and advance the date on which 100 % of such receivers must include over-the-air DTV tuners by three months, from July 1, 2006 to March 1, 2006. We explained Dell's view that the 50% requirement would not speed the DTV transition, but that the 100% requirement would – thus advancing the date of the 100% mandate and eliminating the 50% mandate would speed the DTV transition.

Dell also suggested that, if it could not accept the CEA proposal, the Commission consider advancing by 100% DTV tuner mandate by three or four months and delaying the 50% mandate by the same three or four months. Alternatively, Dell suggested that the Commission enforce the 50% mandate simply by requiring "responsible parties" to demonstrate that, as of June 31, 2006, at least 50% of the TV receivers with screen sizes 25 to 36 inches they manufactured or imported in the prior year contained DTV tuners.

Dell indicated that unless the 50% requirement were delayed or eliminated, or unless the Commission decided to enforce it by examining import and manufacturing data at year end, the Commission would force off the market – for six to nine months – large numbers of widescreen flat-panel TV receivers being used by consumers to receive DTV signals from cable and satellite video providers. This would hinder, not advance, the DTV transition. Please direct any questions regarding this notification to me.

Respectfully submitted,

Scott Blake Harris

Scott Blake Harris
Counsel to Dell Inc.

cc: Catherine Bohigian
Jordan Goldstein
Matthew Brill