



# PUBLIC NOTICE

Federal Communications Commission  
445 12th St., S.W.  
Washington, D.C. 20554

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Released: May 17, 2006

## MEDIA BUREAU ACTION

### REQUEST FOR WAIVER OF 47 C.F.R. § 76.1204(a)(1) FILED WITH THE COMMISSION

CSR-7012-Z

Comcast Corporation (“Comcast” or “Petitioner”) has filed a request for waiver of the prohibition set forth in Section 76.1204(a)(1) of the Commission’s rules on offering navigation devices that perform both conditional access and other functions with respect to three specific set-top box models.<sup>1</sup> In addition, Comcast has asked that the waiver also apply to other set-top boxes that share similar characteristics with those models.<sup>2</sup> Comcast asserts that its Waiver Request is limited in scope to the types of devices the Commission identified in the *2005 Integration Prohibition Order* (i.e., low-cost, limited-capability set-top boxes). Comcast also claims that waiver of the prohibition for the subject devices would serve the public interest by, among other things, broadening consumers’ access to family and ethnic tiers, expanding the availability and use of parental controls, and enhancing subscriber access to video-on-demand and other interactive services.<sup>3</sup> We seek comment on Comcast’s request.

This proceeding will be treated as “permit but disclose” for purposes of the Commission’s *ex parte* rules. See generally 47 C.F.R. §§ 1.1200-1.1216. As a result of the permit-but-disclose status of this proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission’s rules applicable to non-restricted proceedings.<sup>4</sup>

Comments and oppositions are due June 15, 2006.<sup>5</sup> All filings should refer to the case identifier, CSR-7012-Z, and, in addition, to facilitate access to the pleadings filed pursuant to this Public Notice, all comments, oppositions, reply comments, and *ex parte* memoranda should refer to CS Docket No. 97-80 and must be submitted in CS Docket No. 97-80. Pleadings sent via e-mail to the Commission will be considered informal and are not part of the official record. Comments and oppositions filed must indicate that they have been served on Petitioner. All comments and oppositions must be served on counsel for Petitioner:

<sup>1</sup> See Comcast Corporation’s Request for Waiver of 47 C.F.R. § 76.1204(a)(1) (filed Apr. 19, 2006) at 8-9 (“Waiver Request”).

<sup>2</sup> *Id.* at 1 (requesting that the waiver also apply to “similar boxes meeting specified criteria”).

<sup>3</sup> *Id.* at 11-12.

<sup>4</sup> 47 C.F.R. § 1.1206.

<sup>5</sup> The comment cycle established herein supersedes that established by *Special Relief and Show Cause Petitions*, Report No. 0174 (MB rel. May 5, 2006) (Public Notice).

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Jonathan Friedman  
Willkie Farr & Gallagher  
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Washington, D.C. 20006-1238

Petitioner's reply is due June 30, 2006. An original and four copies of all pleadings must be filed with the Commission:

Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

In addition, one copy of each pleading must be sent to Natalie Roisman, Media Bureau, Room 4-A802, 445 12<sup>th</sup> Street, S.W., Washington, D.C. 20554 or [Natalie.Roisman@fcc.gov](mailto:Natalie.Roisman@fcc.gov).

Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.<sup>6</sup>

Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and the applicable docket number: CS Docket No. 97-80. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to [ecf@fcc.gov](mailto:ecf@fcc.gov), and include the following words in the body of the message: "get form". A sample form and instructions will be sent in response.

Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12<sup>th</sup> Street, SW, Washington, D.C. 20554.

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<sup>6</sup> See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322, 11326, para. 8 (April 6, 1998).

Copies of the Waiver Request and any subsequently filed documents in this matter are also available for inspection in the Commission's Reference Information Center:

445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554  
(202) 418-7092

Alternate formats of this Public Notice (computer diskette, large print, audio recording, or Braille) are available to persons with disabilities by contacting the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-7365 (TTY).

For further information, contact Natalie Roisman of the Media Bureau, (202) 418-1655. Press inquiries should be directed to Rebecca Fisher of the Media Bureau, (202) 418-2359. TTY: (202) 418-7172 or (888) 835-5322.

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