

LAW OFFICES
GOLDBERG, GODLES, WIENER & WRIGHT
1229 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

HENRY GOLDBERG
JOSEPH A. GODLES
JONATHAN L. WIENER
LAURA A. STEFANI
DEVENDRA ("DAVE") KUMAR

—
HENRIETTA WRIGHT
THOMAS G. GHERARDI, P.C.
COUNSEL

—
THOMAS S. TYCZ*
SENIOR POLICY ADVISOR
*NOT AN ATTORNEY

(202) 429-4900
TELECOPIER:
(202) 429-4912
general@g2w2.com

October 12, 2006

Electronic Submission

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: CS Docket No. 97-80, CSR-7042-Z, CSR-7049-Z, CSR-7012-Z
Ex Parte

Dear Ms. Dortch:

This is to inform you that, on Wednesday, October 11, 2006, Matt Zinn, Senior Vice President, General Counsel, Secretary and Chief Privacy Officer of TiVo Inc. and the undersigned met with Chris Robbins, Legal Advisor to Commissioner Deborah Taylor Tate.

The purpose of the meeting was to discuss the waiver petitions filed by Verizon and Charter Communications in the above-referenced dockets. TiVo provided an update of its Series3 HD box and associated CableCARD deployment issues. As stated in its Oppositions to the respective waiver petitions, TiVo urged the Commission not to undermine the effectiveness of its rule establishing the integration ban or further delay its implementation. TiVo also urged the Commission to examine closely the CableCARD cost figures being cited by the cable industry, since the figures appear high and are not adequately explained in the record.

Finally, with respect to the request for waiver for certain "low end" set-top boxes, TiVo pointed out, as also stated in its response to the Charter waiver request, that any waiver granted to "low end" set-top boxes should not include boxes with two-way features such as pay-per-view, video-on-demand, and switched-digital to which TiVo and other competitive device manufacturers do not have access. Allowing cable operators to provide such advanced features in supposedly "low end" boxes will create

Ms. Dortch
October 12, 2006
Page 2 of 2

an exception that would swallow the integration ban and effectively eliminate competition in the market for set-top boxes.

Please direct any questions regarding this matter to the undersigned.

Respectfully submitted,

A handwritten signature in black ink that reads "Henry Goldberg". The signature is written in a cursive style with a large, prominent "H" and "G".

Henry Goldberg
Devendra T. Kumar
Counsel to TiVo Inc.

Cc: Chris Robbins