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Jan 10, 2007

Federal Communications Commission
Office of the Secretary

FCC Public Comments
445 12th Street SW
Washington, DC 20554

As a consumer required by Comcast to pay absurdly high fees for use of cable cards in lieu of Comcast's own set top boxes and DVRs, I ask that you please refuse Comcast's requests for waivers of 47 CFR 76.1204(a)(1) as well as by NCTA, Charter, Verizon, and all other cable providers. They clearly want to continue to make confiscatory charges for cable cards to put Tivo and other competitors out of business. The FCC's integration ban, which in effect requires cable companies to integrate CableCARDS into their own set-top boxes, remains good policy today, and is essential to allow healthy competition to flourish in this new market. Please don't let Comcast become a monopoly like AT&T was before 1980.

The Telecommunications Act of 1996 was passed TEN YEARS AGO, yet cable companies have successfully dragged their feet and continue to obstruct and prevent competitive alternatives to proprietary set-top boxes, thus hampering innovation and harming consumers, in order to maximize their own profits and establish a monopoly market that will make them money-making machines for the indefinite future. The US will be the backward laughingstock of the rest of the developed world. Please enforce the integration ban to keep that from happening. The ban will also help market competition prevent further restrictions on cable subscribers' ability to make legitimate use of recorded content.

By adopting content protection limits (encoding rules) in docket no. 97-80, the Commission recognized the importance of allowing consumers to make certain uses of TV content, regardless of a particular cable provider's or copyright holder's wishes. With competition spurred on by the integration ban, consumers would have the freedom to choose the least restrictive cable-compatible device available. The CableCARD standard already prescribes restrictions that harm consumers by limiting non-infringing uses, and such restrictions will get even worse if cable providers' set-top boxes are unchecked by competition.

Please refuse requests for waivers of 47 CFR 76.1204(a)(1).

Sincerely,

Mr. Wallace Magathan
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