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ATTORNEYS AT LAW

22 February 2008

Ex Parte

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

Re: *Ex Parte Presentation*, MB Docket No. 03-15, MB Docket No. 07-91

Dear Ms. Dortch:

On February 21, 2008, Dominic Perri, Executive Director of the Coalition for Independent Rating Services (“Coalition”) and Patricia Paoletta of Harris, Wiltshire & Grannis met with Commissioner Jonathan S. Adelstein and his Legal Advisor, Rudy Brioche. They discussed with Commissioner Adelstein ways in which to enhance the public’s understanding and use of the benefits of an open V-chip with digital television.

The Coalition informed Commissioner Adelstein of their offer to support proposals by Commissioner Copps to hold a digital transition readiness test in the appropriate market prior to the end of the analog television transition on February 17, 2009. They reviewed the attached power point.

The Coalition noted that studies show that of those consumers who use the V-chip, the vast majority (approximately 70%) value it. The ability to download changes to content advisories over Regional Rating Table 0x05 and other tables currently not reserved, if made sufficiently consumer-friendly, could encourage consumer use, since the V-chip would thereby be a more effective tool for parents wishing to protect their children from harmful content.

Pursuant to Section 1.1206 of the Commission's rules, copies of this letter are being filed via ECFS with your office. Should you have any questions, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "P. A. Paoletta". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Patricia Paoletta
*Counsel for the Coalition for
Independent Rating Services*

cc: Rudy Brioche

Coalition for Independent Ratings Services

Thurs, Feb 21, 2008

Dominic Perri,
Executive Director

Overview

- Unique Opportunity for V-chip to help promote the DTV Transition
- DTV readiness test as means to promote new ratings capacity of DTV
- New “Lifestyle” descriptors
- Promotes V-Chip to New Audiences
- Concerns about non-compliance

Unique Opportunities offered by DTV

- Digital Television is about more than Sound and Picture – this is an opportunity to provide added value to consumers
- DTV allows for downloadable ratings that can be changed or upgraded – the set-top box brings V-chip and Closed Captioning
- A New Tool to help create a better world for children – that many are not aware now exists

DTV readiness test

- Market test is the only way to identify Transition problems before Feb 2009
- It can also be a valuable way to create interest beyond sound and picture
- Highlight the new features that DTV offers – closed captions, downloadable ratings
- Great opportunity to provide dedicated organizations the tools and a national stage that can create real lifestyle improvement

Why test downloadable ratings?

- Introduces V-chip to many with older televisions that have not had V-chip before
- Will offer a chance to interact with this new medium – creating interest well beyond the test market
- All converter boxes certified by NTIA are expected to react positively to new ratings. Manufacturers of non-compliant receivers will have a chance to “make it right”

Downloadable Ratings for DTV test

Very simple step – add content descriptors to allow parents to Turn on to DTV by turning off shows that glamorize:

1. Smoking
2. Alcohol,
3. Drugs

(possible in both English and Spanish language if the market test calls for it)

The “lifestyle choices” compliment the existing systems, are easy to implement, and promote

How can manufacturers make consumers more aware of V-Chip?

- Add V-Chip button to TV Remote
 - Envision 32W661 offers this
- Offer “child friendly” TVs with pre-programmed V-Chip
- Place sticker on the set screen alerting consumers of its V-Chip functionality
- Increase programming rating awareness. Leave the rating icon on screen till removed using the V-chip button

Concerns about Non-compliance

- Chairman Martin now says 10 companies will be subject to Enforcement Action
- Funai (fined \$7.7 Million) accounts for 8 TV brands
- Are those 17 (8+9) non-compliant brands still being manufactured and sold to unsuspecting consumers?
- Given the many non-compliant sets in the market should TV brands be certified (worked for NTIA)
- Should there be a permanent test available so consumers can have confidence gov't regulations were followed?
- Can FCC warn consumers who purchased non-compliant units? Perhaps offer a list on website