

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
GCI Cable, Inc.	)	CSR-7130-Z
	)	
Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules	)	
	)	
Implementation of Section 304 of the Telecommunications Act of 1996	)	CS Docket No. 97-80
	)	
Commercial Availability of Navigation Devices	)	
	)	

**Fourth Notice of Updated Schedule for GCI Digital Transition and Submission of  
Final Sworn Declaration**

GCI Cable, Inc. d/b/a GCI ("GCI") hereby further updates its schedule for full digital transition of its cable systems throughout Alaska, which GCI filed with its Compliance Filing submitted on June 19, 2007, and then updated on December 5, 2007, June 6, 2008, and August 13, 2008. This fourth notice is provided to report scheduling changes in the required notice and conversion completion dates of the digital transition for three of GCI's cable systems, to correct the date of the required six month notice in two systems, and submit its final sworn declaration of customer notices as required by the *GCI Waiver Order*. GCI provides this notice to ensure a complete and accurate record. No further action is required, however, as GCI has completed the digital transition of each of these and the rest of its cable systems in advance of the February 17, 2009 DTV transition deadline.

On February 16, 2007, GCI filed a request for waiver of the ban on integrated set-top boxes as set forth in Section 76.1204(a)(1) of the Commission's Rules. By Order DA 07-2010 in the above captioned proceeding, the Media Bureau granted the requested waiver with respect to GCI's continued use of three set-top boxes DCT-700, DCT-1000, and DCT-2000, subject to GCI filing a statement of compliance demonstrating that it would satisfy the conditions of the waiver.<sup>1</sup>

On June 19, 2007, GCI submitted the compliance filing in satisfaction of the *GCI Waiver Order*. On December 5, 2007, GCI filed a notice to provide an update regarding scheduling changes in both the required six-month customer notification and the completion date of the digital transition for four of GCI's cable systems. On June 6, 2008, GCI filed a second notice to provide a second notice regarding scheduling changes for the completion date in three locations. On August 13, 2008, GCI filed a third notice regarding a change to the completion date in one location. None of those changed dates affected GCI's ability to meet the February 17, 2009 transition date mandated by the *GCI Waiver Order*.

GCI hereby modifies the digitization conversion timeline in three locations, specifically in Wrangell, Ketchikan, and Petersburg. GCI initially projected that it would complete the digitization process in these systems on December 3, 2008, but the conversion was completed in Wrangell on October 14, 2008, in Ketchikan on October 29, 2008, and in Petersburg on November 3, 2008. While customers in Petersburg received the required six-month notice, the earlier conversions in Wrangell and Ketchikan resulted in a modestly abbreviated notice period. In both systems, beginning in June 2008, GCI provided customers regular information about the digitization process in the monthly bills leading up to the conversion, providing Wrangell

---

<sup>1</sup> *GCI Cable, Inc., Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules, Implementation of Section 304 of the Telecommunications Act of 1996, Commercial Availability of Navigation Devices, Memorandum Opinion and Order, 22 F.C.C. Rcd 8576, DA 07-2010 (Chief, Media Bur. rel. May 4, 2007) ("GCI Waiver Order").*

customers about four and one-half months prior notice and Ketchikan customers about five months prior notice.<sup>2</sup> In both Wrangell and Ketchikan, during the period leading up to the conversion GCI also contacted customers by telephone to advise them of the approaching conversion. As a result of GCI's efforts, in Wrangell, only 2.2 percent of the Wrangell subscribers and 4.2 percent of the Ketchikan subscribers did not have a set-top box prior to the full conversion.

Separately, GCI also reports two corrections to earlier compliance filings. First, the initial notification of the Kenai conversion was provided in December 28, 2007, not in late September, as earlier reported, resulting in a three-month prior notice period. GCI nevertheless regularly provided information about the conversion in its monthly bills and contacted customers by telephone to advise them of the change. Second, GCI also corrects the customer notice date for its system in Homer, which occurred in December 19, 2007, more than six months prior to its July 1, 2008 system conversion.

With respect to the abbreviated notice period in Wrangell, Ketchikan, and Kenai, GCI respectfully requests modification or waiver of the six-month required notice. GCI remained in substantial compliance with the *Waiver Order*. GCI provided six-month advance notice to the vast majority of its customers. Even in the three systems experiencing a shorter notice period, notices were sent to customers many months in advance of the conversion completion in these systems, monthly bill reminders were sent, and system personnel tracked progress on customer equipment to ensure that additional, direct contacts were made to customers without the required equipment in advance of the conversion date. In addition, GCI has not received any customer complaints related to the sufficiency of notice received about the digital conversion. Moreover,

---

<sup>2</sup> In addition, GCI sent Wrangell customers a separate mailer describing the conversion in August 2008, and the separate mailer was sent to Ketchikan customers in September 2008.

GCI has completed its digital conversion in all systems, which the Commission recognized would provide “non-speculative public interest benefits,” including ensuring that “[GCI] subscribers would be able to view digital broadcast signals after the end of the DTV transition”, expanded programming and digital service offerings (including Video on Demand and HD), efficient use of spectrum to maximize bandwidth speeds and promote broadband deployment and adoption, and competitive entry for voice service and advancement of universal service in rural Alaska.<sup>3</sup> Finally, the abbreviated notice was inadvertent and notice was sent out promptly upon determining that the separate notice was not sent as expected.

A copy of the modified timeline is attached hereto as Exhibit A. As demonstrated herein, GCI has completed the digital transition for each system well before the DTV transition date of February 17, 2009. In addition, GCI hereby submits an affidavit attesting to its substantial compliance with notice of its plans to go all digital to its customers.

Respectfully submitted,

GCI CABLE, INC.

/s/

---

Brian Lowinger  
Director, Federal Regulatory Affairs  
General Communication, Inc.  
1130 17<sup>th</sup> Street, N.W., Suite 312  
Washington, D.C. 20036  
(202) 457-8815  
(202) 457-8816 FAX  
[blowinger@gci.com](mailto:blowinger@gci.com)

Dated: November 13, 2008

---

<sup>3</sup> *GCI Waiver Order* 22 F.C.C. Rcd at 8578 and 8580-81.

## Exhibit A

*(The area shaded in gray has a revised date.)*

<b>GCI Statewide Digitization Timeline</b>		
	<i>Six-month customer notification (via direct mailing)</i>	<i>Digital Conversion Complete</i>
Sitka	7/10/2007	1/15/2008
Anchorage	7/10/2007	1/15/2008
Kodiak	7/10/2007	1/15/2008
Nome	7/10/2007	1/15/2008
Valdez	7/10/2007	1/31/2008
Cordova	8/24/2007	3/10/2008
Kenai	12/28/2007	4/2/2008
Homer	12/19/2007	7/1/2008
Juneau	12/3/2007	6/3/2008
Barrow	2/1/2008	8/5/2008
Kotzebue	2/1/2008	9/3/2008
Seward	2/15/2008	8/18/2008
Fairbanks	2/15/2008	8/15/2008
Bethel	3/3/2008	9/3/2008
Petersburg	4/2008*	11/06/2008
Ketchikan	June 1, 2008,** direct mail 9/2008*	10/29/2008
Wrangell	June 1, 2008,** direct mail 8/2008*	10/14/2008

\* Date as appearing on mailed notice.

\*\* Initial notifications were delivered in bill messages issued throughout the month.

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
GCI Cable, Inc.	)	CSR-7130-Z
	)	
Request for Waiver of Section 76.1204(a)(1)	)	
of the Commission's Rules	)	
	)	
Implementation of Section 304 of the	)	CS Docket No. 97-80
Telecommunications Act of 1996	)	
	)	
Commercial Availability of	)	
Navigation Devices	)	
	)	

**AFFIDAVIT OF G. WILSON HUGHES**

I, G. Wilson Hughes, under penalty of perjury, hereby swear and affirm the following, to the best of my personal knowledge and on behalf of General Communication, Inc.:

1. My name is G. Wilson Hughes, and I am the Executive Vice President and General Manager for General Communication, Inc. ("GCI"), the parent company of GCI Cable, Inc. I have served GCI in this or similar capacity for over 15 years.

2. By Order DA 07-2010 in the above-captioned proceeding, the Media Bureau granted the request for waiver by GCI Cable, Inc. of the ban on integrated set-top boxes set forth in 76.1204(A)(1) of the Commission's rules. The Bureau granted the requested waiver with respect to GCI's continued use of the DCT-700, DCT-1000, and DCT-2000 set-top boxes.

3. In a compliance filing dated June 19, 2008, and an affidavit filed with it, GCI stated it would provide verification that it provided notification to its analog customers of GCI's

plan to go “all digital” at least six months in advance of the scheduled conversion date for a given system.

4. GCI provided notification to its analog customers of GCI’s plans at least six months in advance of the completion of the digital conversion on a system-by-system basis in fourteen of its seventeen systems. The three other systems where customers experienced an abbreviated notice period are Wrangell, Ketchikan, and Kenai.

5. In Wrangell and Ketchikan, GCI initially projected that it would complete the digitization process on December 3, 2008, but instead completed the process in Ketchikan on October 29, 2008, and in Wrangell on October 14, 2008. For both systems, in early June, GCI began providing customers information about the conversion through its monthly customer bills, and also contacted customers by telephone to advise them of the change. In addition, GCI sent Wrangell customers a separate mailer describing the conversion in August 2008, and the separate mailer was sent to Ketchikan customers in September 2008.

6. In Kenai, GCI converted the system in April 2008 and first provided notice to its customers about the conversion four months prior to that conversion. Nonetheless, GCI regularly provided information to consumers about the conversion in monthly bills and contacted customers without equipment by telephone to advise them of the conversion before it occurred.

7. In summary, despite the abbreviated notice period in Wrangell, Ketchikan, and Kenai, notices were provided to customers many months in advance of the conversion completion in these systems, monthly bill reminders were sent, and system personnel tracked progress on customer equipment to ensure that additional, direct contacts were made to customers who did not have equipment in advance of the conversion date. In addition, GCI has not received any customer complaints related to sufficiency of the notice received about the

digital conversion. Moreover, the abbreviated notice was inadvertent, and GCI sent separate notices upon determining that the initial notice was not sent as expected.

8. Finally, GCI completed its digital conversion in advance of February 17, 2009.

DATED this 13<sup>th</sup> day of November 2008.

Wilson Hughes  
G. Wilson Hughes

SUBSCRIBED AND SWORN TO before this 13<sup>th</sup> day of November 2008

Nancy Newell  
Notary Public in and for Alaska  
My commission expires May 06, 2010

