

SABIN, BERMANT & GOULD LLP

ATTORNEYS AT LAW  
FOUR TIMES SQUARE  
NEW YORK, N. Y. 10036-6526

THOMAS M. WILSON  
DIRECT DIAL: 212-381-7110  
FAX: 212-381-7218  
E-MAIL: [rwilson@sbandg.com](mailto:rwilson@sbandg.com)

November 14, 2008

**EX PARTE**

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

**Re: In the Matter of Carriage of Digital Television Broadcast Signals  
CS Docket No. 98 - 120**

Dear Ms. Dortch:

On November 13, 2008, Jeff Chen, Senior Vice President for Advanced Technologies at Bright House Networks (BHN) and I met with Eloise Gore, Mary Beth Murphy, Lyle Elder, John Wong and Jeff Nuemann of the Media Bureau to discuss the channel placement issue posed by the *Third Further Notice of Proposed Rulemaking* in the aforementioned proceeding.

During the meeting, we discussed the reasons why it is *not* technically feasible for BHN's systems to place a high-definition version of a broadcast signal on the same channel position as the standard-definition version from a customer's perspective. We explained that a channel map, which instructs a set-top box (or receiver) to tune to a particular channel when a customer enters a channel number, operates on a geographical basis and cannot distinguish between standard and high-definition set-top boxes (or receivers) within that geographical area. This means that *only* one channel map is able to function per service area which precludes BHN from placing multiple digital versions of a broadcast signal on the same channel position.

Given the complexity of this issue, BHN will supplement its *ex parte* filing with a

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more detailed explanation of the technical impediments which prevent BHN from placing multiple digital versions of a broadcast signal on the same channel location. Faced with these obstacles, BHN urged the Commission to abstain from adopting any measure that would interfere with a customer's ability to receive broadcast signals as we head into the digital transition.

Respectfully submitted,



Thomas M. Wilson

cc: Eloise Gore  
Mary Beth Murphy  
Lyle Elder  
John Wong  
Jeff Neumann