

November 18, 2008

Marlene H. Dortch  
Office of the Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: Notice of *ex parte* presentation in: MB Docket No. 08-82

Dear Ms. Dortch:

On November 17, 2008, Gigi Sohn, Alex Curtis, and Jef Pearlman of Public Knowledge met with Commissioner Robert McDowell and Rosemary Harold, his Legal Advisor on Media, regarding the above-referenced docket.

In the meeting, we pointed out that the Consumer Electronics Association currently estimates that over 20 million high definition (HD) television sets currently in use rely exclusively on analog inputs for HD content.<sup>1</sup> This number actually underestimates the size of the problem, because while *none* of those 20 million HDTVs will work if SOC is used to turn off analog outputs, an unknown number of additional home entertainment systems, DVRs, and other consumer electronics devices that rely on analog connections will also be effectively turned off, even if the TVs also have digital inputs. Further, because the waiver seeks the ability to turn off *all* existing analog and digital outputs, no current equipment is immune.

The remainder of the discussion is contained in our earlier filings in the above-referenced docket. In accordance with the FCC's *ex parte* rules, this document is being electronically filed in the above-referenced docket today.

Respectfully submitted,



Jef Pearlman  
Equal Justice Works Fellow and Staff Attorney

CC:  
Commissioner Robert McDowell  
Rosemary Harold

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<sup>1</sup> See Consumer Electronics Association, *Notice of Ex Parte Presentation*, MB Docket No. 08-82 (Nov. 18, 2008).