

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
Massillon Cable TV)	CSR-7229-Z
Implementation of)	
Section 304 of the)	
Telecommunications)	
Act of 1996)	
Commercial Availability)	
Of)	
Navigation Devices)	

To: The Secretary
Attention: The Chief, Media Bureau

REQUEST FOR EXTENSION OF TIME TO TRANSITION TO ALL-DIGITAL CABLE SYSTEM

Massillon Cable TV ("Massillon") respectfully requests that it be granted an extension until July 31, 2009, to complete the elimination of all analog cable TV channels, as anticipated in the Commission's *Memorandum Opinion and Order*, DA 08-438, released March 19, 2008.

EXECUTIVE SUMMARY

In the above referenced *Order*, Massillon was granted a waiver of the set top box restrictions provided that it completed an elimination of all analog channels by February 17, 2009. Because of circumstances beyond its control, it has become clear that Massillon is unable to eliminate all analog cable TV signals by February 17, 2009 and still provide good service to our local communities. This inability is due to a combination of circumstances, some of which were noted in our Interim Report (11/1/08)¹ while others have arisen since that time.

¹ In our Interim Report, we noted that substantial progress had been made toward achieving our goal of eliminating all analog cable TV channels, including taking the unprecedented step of offering up to three digital set-top converter boxes – plus remote controls – to every one of our subscribers without charge; helping to develop a new low-cost converter box for domestic use; designing an innovative subscriber interface to provide important on-screen program-related information to our viewers; working with a manufacturer to develop a new simple, intuitive remote control; teaming with local organizations (including the county board of developmental disabilities to pack and label converters for direct shipment to our customers); implementing an intensive and effective customer communication program concerning the digital transition (including live telephonic contact, direct mail, email and a comprehensive website); and accelerating the conversion through a self-installation program. In the same Report, we also documented a detailed roll-out schedule, supported by a break-out of product deliveries and a schedule of analog channel eliminations designed to avoid impacting viewers of certain types of programming all at once. Yet we were careful to qualify this commitment with the recognition

Massillon Cable TV remains fully committed to becoming an all-digital/no-analog system. We have continued to make significant progress toward an all-digital/no-analog system, but have been unable to distribute digital converters to a sufficient number of customers to warrant the elimination of analog signals at this time. Eliminating all analog signals without adequate distribution of converters will lead to an unnecessary disruption of service to a significant number of viewers. Unlike the broadcast digital TV transition, there is no technical reason to vacate the analog spectrum currently in use. No one will suffer if our cable spectrum continues to be used for analog signals for a period of time into the future. On the other hand, a large number of consumers will suffer if we force the elimination of analog signals before adequate distribution and installation of the necessary hardware has occurred.

Massillon Cable TV plans to eliminate all analog cable TV signals before July 31, 2009. We believe that this date is achievable based on current commitments from manufacturers and suppliers, historical marketing and distribution results, notice requirements and the gradual, systematic elimination of analog signals.

There is another reason to set the date for the elimination of our analog cable TV signals further into the future. During the months that we have worked toward our DTV Rollout, it has become apparent that a great deal of confusion exists about the difference between the broadcast digital TV transition and our DTV rollout. Despite all our efforts to inform consumers to the contrary, they still tend to accept and believe that the two are the same thing. We are firmly convinced that the common date is the main factor in this confusion. Setting the date for our DTV rollout beyond the broadcast transition date will eliminate that confusion, provide greater clarity for consumers and allow us to provide more clear information to viewers about, first, the broadcast transition and, then, our DTV rollout.

CHALLENGING CIRCUMSTANCES

As described in the first Interim Report, we encountered significant supply chain problems early in the project. Transportation and manufacturing delays created by the China Olympic Games resulted in our initial delivery schedule slipping by almost 10 weeks.

We struggled through these delays and had begun to achieve a very rapid pace for marketing and distribution. By late-October, our large shipments (delayed by the Olympics) finally reached us. The results of our early efforts encouraged us to increase the size of subscriber groups marketed each week. We successfully increased distribution to 10,000 set top converters a week by early November (almost 10% of all converters needed). We felt confident that, with this type of

that it depended upon certain factors beyond our control, such as delivery of necessary hardware. In that regard, we predicted that we would have targeted all our customers by the end of last year to ensure an orderly conversion.

distribution effort, we would still be able to meet the February 17, 2009 goal. Then, we encountered a situation that was unexpected and beyond our control.

In mid- to late-November, we began to receive an inordinately high number of calls from customers reporting that their new converters were not working properly. In very short order, we determined that the external power supply, which converts 120 volts AC to 6.5 volts DC, were failing in very large numbers. We conferred with the distributor and manufacturer and learned that an unknown quantity of defective power supplies were included with the units we had received. There was no physical danger in the defect. The defect simply caused the power supply to stop working. While there was no danger, the nature of the defect was disastrous.

The manufacturer and distributor have accepted responsibility for this problem and are providing replacement power supplies and funding the recall effort.

The power supplies were not consistent in regard to the fault. Only a small number failed "out of the box." So, most customers were able to complete a self-installation only to have it fail within a few weeks. Still other power supplies did not fail completely. They generated enough current to work partially. This created inconsistent reports from customers and difficulty in responding. The power supply failure was massive, exceeding 20% six weeks after installation.

As a result of this situation, we were forced to:

- o Suspend all marketing. Otherwise, we would be encouraging consumers to order and install equipment that we knew had a high probability of failure.
- o Delay all shipments. Otherwise we would be shipping equipment with a high probability of failure.
- o Redeploy our field workers. Our service call volume more than tripled on a daily basis. We shifted in-house workers to complete emergency service calls. We hired additional installation contractors so we could shift still more workers to complete emergency service calls.
- o Redirect the efforts of our outsourced Call Center. We shifted the focus of our DTV Rollout Center to answer questions regarding the recall to ensure a quick response to questions.
- o Commence a complete recall of the 70,000 power supplies that were already in customer homes. A complete recall was required because we could not determine which converters had potentially faulty power supplies. Therefore, we are replacing all of them. We were unable to obtain 70,000 power supplies instantly, so we undertook a variety of efforts to replace faulty power supplies only until enough could be obtained to replace those that have not yet failed.

We still have roughly 35,000 power supplies to replace. We have commitments from the manufacturer and distributor for these replacement units (by air freight).

They will arrive by the first week in March. We are fully prepared to deliver these to customers quickly.

Once all potentially faulty power supplies have been replaced, we will be able to resume our marketing and distribution effort.

CURRENT STATUS

Our Interim Report included the following statistics:

“As of November 1, 2008, we have directly communicated the details of our DTV rollout to 38% of all customers. As noted above, we were compelled to limit the number of customers contacted due to a shortage of converters. Almost 25% of all households are now equipped with free Mini-Max converters. We also have other types of converters. The number of households with at least one digital converter stands at 52%.”

The following table provides a comparison between November 1, 2008 and January 31, 2009.

	Nov. 1, 2008	Jan. 31, 2009
Customers Contacted	38%	61%
Customers with Free Mini-Max Converters	25%	71%
Customers with at least one digital converter	52%	84%

Despite the difficulty of the power supply failures and recall effort, we have increased the number of customers with free converters almost three-fold and the number with at least one digital converter by 60%. It is intriguing to note that more customers now have converters than have been contacted. This reveals the extent to which the marketing effort has been spread by word-of-mouth and through our transactional efforts.

REVISED ANALOG ELIMINATION DATE

We believe that July 31, 2009 is an achievable goal to eliminate all analog cable TV signals. Following is a discussion of the factors that influence that projection.

- o Current commitments from manufacturers and suppliers – Our initial estimate of converters needed was 100,000. That estimate turned out to be low. The average number of converters ordered per customer is 2.55 resulting in a new estimate of 115,000 (45,000 customers x 2.55 = 114,750). At this time, we have 100,000 converters in our warehouse or installed in the field. We have another 15,000 converters on order and committed to arrive before April 1, 2009. We also have a ready supply of advanced set-top converters and digital converters from other manufacturers in our warehouse.
- o Historical marketing and distribution results – We have not yet sent specific information about our DTV rollout to approximately 12,000 households. This is being done on a neighborhood-by-neighborhood

basis. Our past experience shows that we can effectively notify and fulfill orders for 3,000 households per week. Therefore, we need about four weeks to contact all of the remaining households.

- o Notice requirements – We believe we should provide the standard 30 day advance notice to customers before we eliminate an analog signal from the system. Even though the program networks will continue to be available in a digital format, we plan to provide notice of the analog eliminations.
- o Gradual and systematic elimination of analog signals – We are gravely concerned about attempting any sort of massive signal “cut off” in which all analog signals are eliminated on the same day. It would be too disruptive. Our past experience with the elimination of analog premium networks and the launch of our Digital Simulcast proved that a systematic and gradual elimination is far superior. We feel that removing eight to ten analog channels per week will provide the incentive consumers need to take appropriate action without creating a catastrophic loss of all service.

The combination of these factors leads to a July 31, 2009 target as follows:

- o March 1 – Distribution of final replacement power supplies begins. This is a direct mail function and should take approximately two weeks.
- o March 15 – Resume marketing efforts. This will take four weeks.
- o April 15 – Send notice of analog elimination schedule.
- o May 15 – Begin first analog eliminations. This process will take 10 weeks to eliminate the 76 analog channels currently in operation. This schedule will cause all analog channels to be eliminated by July 31.

OTHER CONSIDERATIONS

We have designed our program so that

(i) No current Basic cable TV services are being removed from Basic cable TV service. While all analog signals will be eliminated, they will all continue to be available on the same level of service and at the same price; (ii) The conversion will be gradual, with analog channels eliminated each week over a 10-week period, with the channels grouped so as to avoid severe and sudden impact upon a particular viewer (as, for example, would elimination all at once of all sports or childrens channels); and (iii) No additional cost is created by the movement from analog to digital. Massillon Cable TV's unique decision to provide up to three digital converters at no charge means consumers will incur no extra monthly cost to continue to watch the services they already enjoy.

SUMMARY

Massillon Cable TV has continued to make significant progress toward becoming an all-digital/no-analog cable TV system despite struggling with circumstances beyond its control. During this process, we have introduced numerous innovations that enable us to provide converters and achieve the conversion at

no monthly cost to customers. Unfortunately, we encountered delays. We remain committed to the goal of all-digital service, but need additional time to complete the process in a manner that is not disruptive to viewers.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Robert Gessner", written over a horizontal line.

Robert Gessner
President
Massillon Cable TV, Inc.

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February 17, 2009

DECLARATION UNDER PENALTY OF PERJURY

I, Robert Gessner, hereby declare under penalty of perjury that the following is true and correct:

- 1) I am President of Massillon Cable TV, Inc.
- 2) I have read the attached Request For Extension and verify that the statements made herein are true and correct.


Robert Gessner

February 17, 2009