

# Arent Fox

**Alan G. Fishel**  
202.857.6450 DIRECT  
202.857.6395 FAX  
fishel.alan@arentfox.com

August 14, 2009

## FILED ELECTRONICALLY

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

**RE:** MB Docket No. 09-26  
Implementation of the Child Safe Viewing Act; Examination of Parental Control  
Technologies for Video or Audio Programming

Dear Ms. Dortch:

On behalf of TVGuardian, LLC ("TVG"), and in accordance with Section 1.1206(b) of the Commission's Rules, 47 C.F.R. §1.1206(b), TVG hereby submits this letter to raise the following points:

- The public has expressed a very strong interest in having access to advanced foul language filtering technology. The vast majority of comments in this proceeding (well over 9,000 comments) urge the Commission to take action to ensure that such technology is available to Americans that want the technology. The American Family Association, which has 2.7 million members, also strongly supports ensuring that such technology is available to all Americans who wish to use it.
- No providers have voluntarily included such technology yet in their systems.
- Such technology has been available previously to the public, but will no longer be available as a result of the digital transition unless the industry agrees to voluntarily incorporate such technology in their systems, or the Commission and/or Congress takes action to ensure such technology is available.
- The public interest strongly favors ensuring that all Americans have access to advanced foul language filtering technology across a wide range of media, including television, cable and satellite, wireless devices, non-networked devices, and to the extent practicable, the Internet.
- Accordingly, if the industry does not voluntarily ensure that such access is available across such wide range of media within a reasonable time frame, Congress and/or the Commission should determine what action is necessary to assure that access is allowed.

# Arent Fox

Respectfully submitted,

A handwritten signature in cursive script that reads "Alan G. Fishel".

Alan G. Fishel

Attorney for TVGuardian, LLC