



November 24, 2009

BY ELECTRONIC FILING

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

Re: *MB Docket No. 08-82*

Dear Ms. Dortch:

In this proceeding, some commenters have raised the possibility that the Motion Picture Association of America's proposal to provide high value, high definition content to consumers prior to the normal release date of pre-recorded media through the use of selectable output control might cause confusion or lead to subscribers paying for content their systems cannot display. DIRECTV believes that this concern is unfounded, as DIRECTV has both the experience and the incentive to avoid consumer confusion or frustration.

DIRECTV has launched a number of services in the past using technology to present content that can only be seen or accessed by subscribers that have the compatible equipment or service. DIRECTV would launch content that applies selectable output control in a manner that would prevent subscribers from purchasing that content unless they have the requisite set-up for viewing. Specifically, for a subscriber whose set-top box is not connected to her television with a secure digital connection, either (1) the titles for such content would not be displayed in DIRECTV's on-screen programming guide, or (2) the purchase screen for such content would be replaced by a screen clearly stating that the use of a secure digital connection is required for viewing and one has not been detected in the subscriber's set-up. Thus, in either case, if DIRECTV did not detect that the consumer has the correct equipment to view the programming, the consumer would be unable to purchase the programming. In DIRECTV's experience, these safeguards are effective in informing consumers about their programming options and ensuring that they do not purchase content they cannot view.

Sincerely yours,

/s/

Stacy Fuller
Vice President, Regulatory Affairs

cc: Bill Lake
Kris Monteith
Nancy Murphy
Mary Beth Murphy
Steven Broeckaert
Brendan Murray