

December 19, 2009

Julius Genachowski, Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: CS docket no. 97-80

Dear Mr. Genachowski,

I have read recent news articles that under your leadership the FCC is finally looking into the lack of availability of alternatives to cable/satellite provided set top boxes. I believe this inquiry is long overdue and consumers such as myself are being denied the benefits of competition, innovation, and lower prices that would result from the easy availability of alternatives from independent companies. Indeed, network operators appear to be deliberately thwarting the ability of consumers to use alternative devices.

I recently switched from DirecTV to Verizon FIOS because DirecTV overcharged me by \$250 and it took over 30 phone calls and two years to get our money back. When my free FIOS DVR offer expired, I bought a TiVo HD DVR because the FIOS DVR kept freezing, stalling or just plain not recording correctly every week. (FIOS politely empathized with the problems with DVR caused but couldn't recommend a solution.)

To switch to TiVo, Verizon wants to charge us an \$80 installation fee and \$4/mo to lease a cablecard. Naturally, installation fees are waived if I stick with their machine. Verizon has offered me no explanation why I should have to pay \$80 simply to have a guy come over and insert a card in my Tivo box, which it appears I could do myself. This fee seems designed to discourage consumer from using alternative boxes. Likewise, Verizon's \$4/mo cablecard fee is significantly higher than what Internet forums indicate the cable companies charge. Furthermore, forcing consumers to pay \$48 every year for a 50 cent plastic cablecard if we want functioning DVR service is akin to robbery.

If the FCC is serious about enabling mainstream consumers to use independent set top boxes, it needs to put independent boxes on an equal footing with operator provided boxes, including eliminating the ability of network operators to impose higher costs on consumers who wish to use independent boxes.

Sincerely,

Rebecca Taylor