

VIA COURIER

March 26, 2010

Federal Communications Commission
Media Bureau
PO Box 979089
St. Louis, MO 63197

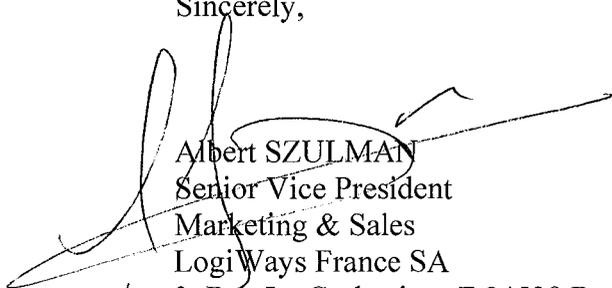
Re: In the Matter of Application of LogiWays France SA's Request for Waiver of 47
C.F.R. § 76.1204(a)(1).

Dear Sir or Madam:

On behalf of LogiWays, I hereby transmit an original and four (4) copies of the above-referenced Request for Waiver and an additional cover page marked "Stamp and Return". Also transmitted herewith are a completed FCC Form 159 and a check in the amount of one thousand three hundred and ten dollars (\$1,310) to cover the required filing fee. Please stamp and return the cover page using the enclosed courier envelope.

Please contact me if you have any questions regarding this matter.

Sincerely,



Albert SZULMAN
Senior Vice President
Marketing & Sales
LogiWays France SA
3, Rue Le Corbusier - F 94528 Rungis
FRANCE

cc: William T. Lake, Chief, Media Bureau
Mary Beth Murphy
Brendan Murray

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

In the Matter of)	
)	
LogiWays France SA's)	CSR-_____
Request for Waiver of Section 76.1204(a)(1))	
of the Commission's Rules)	
)	
)	
Implementation of Section 304 of the)	CS Docket No. 97-80
Telecommunications Act of 1996)	
)	

REQUEST FOR WAIVER

Pursuant to the streamlined waiver process set forth in Paragraph 15 of the *Evolution Broadband Waiver Order*,¹ as well as Sections 1.3 and 76.7 of the Commission's Rules,² LogiWays respectfully requests a three-year waiver of the Commission's integration band as applied to the specific one-way, low-cost, limited capability digital set-top box – the LWTA-C01 – described herein.³ Approval of the waiver is in the public interest.

LogiWays was created in 2001 by a group of experts in embedded software and Conditional Access Systems for Digital TV, and is a supplier of a powerful Conditional Access System, a mature Middleware, and systems integration services. LogiWays has offices in

¹ See *In the Matter of Evolution Broadband, LLC's Request for Waiver of Section 76.1204(a)(1) of the Commission's Rules*, Memorandum Opinion and Order, FCC 09-46, ¶ 15 (rel. June 1, 2009) ("*Evolution Broadband Waiver Order*").

² See 47 C.F.R. §§ 1.3 and 76.7(i).

³ The integration ban is set forth in Section 76.1204(a)(1) of the Commission's rules. See 47 C.F.R. § 76.1240(a)(1) ("Commencing on July 1, 2007, no multichannel video programming distributor subject to this section shall place in service new navigation devices for sale, lease or use that perform both conditional access and other functions in a single integrated device.")

Europe, Asia, and the United States and has close relationships with CE manufacturers, silicon vendors and distributors world-wide.

In pursuit of the lowest-possible cost, the devices designed and engineered by LogiWays are manufactured by partners or suppliers (including contract manufacturers) rather than by LogiWays directly. Nevertheless, the devices described in EXHIBIT A are the devices which are deployed in digital cable systems.

I. THE LWTA-C01 IS THE TYPE OF NAVIGATION DEVICES THE COMMISSION HAS INDICATED IT WILL GRANT WAIVERS FOR

The LWDTA-C01 is a low-cost, limited-capability device that satisfies the waiver criteria set forth by the Commission.⁴ The LWDTA-C01 can only access one-way, standard-definition, programming. It cannot access high-definition programming. It cannot access two-way or video-on-demand services. It does not include video recording (“PVR”), broadband Internet access, or multiple tuner hardware or features.⁵ In addition, the LWDTA-C01 typically cost less than \$60, which is significantly less than the least expensive CableCARD-enabled set-top box.

LogiWays is a conditional access system provider and systems integrator, and designs and engineers the STBs, but is not generally the direct manufacturer of the devices. In pursuit of the lowest-possible cost, the devices are manufactured by partners or suppliers (including contract manufacturers). Nevertheless, the devices described in EXHIBIT A are the devices which are deployed in digital cable systems.

LogiWays asks that the Commission grant this waiver request under the streamlined process described for one-way, low-cost, limited capability devices set forth in the *Evolution*

⁴ See *In the Matter of Implementation of Section 304 of the Telecommunications Act of 1996: Commercial Availability of Navigation Devices*, 20 FCC Rcd. 6794 ¶ 37 (2005) (“2005 Deferral Order”) (establishing waiver criteria for low-cost, limited capability devices).

⁵ The LogiWays STB is a basic terminal device developed especially to enable transition to digital network technologies (including alternative network technologies and topologies) in a cost-effective manner.

Broadband Waiver Order.⁶ In the *Evolution Broadband Waiver Order*, the Commission “recognize[d] the potential competitive implications of this outcome and will attempt to ensure that other manufacturers with similar devices can enter and compete as quickly as possible.”⁷ The STB described herein is a similar device; granting this waiver will ensure an open competitive landscape.

II. A WAIVER WILL SERVE THE PUBLIC INTEREST

The Commission has concluded that the grant of waivers for low-cost, limited-capability devices will serve the public interest. In the *2005 Deferral Order*, the Commission “intended to strike the proper public interest balance by narrowly tailoring the waiver standard ... [to] preserv[e] a low-cost set-top box option for subscribers that allows them to view digital cable programming on analog television sets.”⁸

The Commission has also concluded that waivers for low-cost, limited-capability devices like the LogiWays STB “will not endanger the development of the competitive marketplace envisioned in Section 629”.⁹ Indeed, competitive network technology vendors like LogiWays increase the development of a competitive marketplace.¹⁰

⁶ *Evolution Broadband Wavier Order* at ¶ 15 (“We therefore intend to act on similar applications expeditiously. If applicants certify that the capabilities of their navigation devices are low-cost, limited capability devices that are no more advanced than the Subject Boxes and include the full specifications of any devices for which waiver is sought, the Media Bureau will release a public notice seeking comment on those certifications for a period of ten calendar days, after which the Bureau will expeditiously grant a waiver similar to the one granted herein, deny such a waiver, or take other appropriate action.”)

⁷ *Id.*

⁸ *Evolution Broadband Waiver Order* ¶ 12; *see also 2005 Deferral Order* ¶ 37.

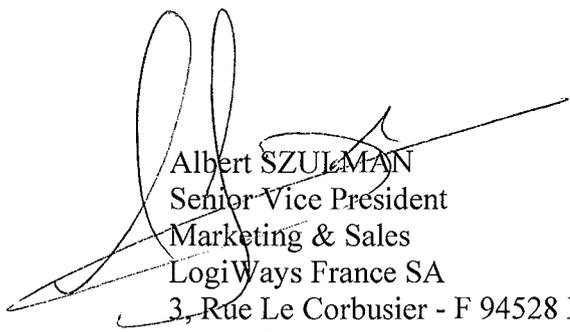
⁹ *2005 Deferral Order* ¶ 37.

¹⁰ The digital cable conditional access market is dominated by two companies. Fostering competitive conditional access vendors would increase competition in the marketplace.

III. CONCLUSION

For the foregoing reasons, LogiWays respectfully urges the Commission to grant its petition for waiver § 1204(a)(1) of the Commission's rules.

Respectfully submitted,



Albert SZULMAN
Senior Vice President
Marketing & Sales
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3, Rue Le Corbusier - F 94528 Rungis
FRANCE

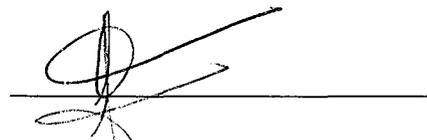
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47 C.F.R. § 76.1204(a)(1))
Implementation of Section 304 of) CS Docket No. 97-80
the Telecommunications Act of 1996)

DECLARATION OF ALAIN CATREVAUX

1. My name is Alain Catrevaux. I am Chief Executive Officer at Logiways France. By virtue of my position, I am familiar with the technical capabilities of the LWDTA-C01 and the deployment plans for it.
2. I have read the foregoing Request for Waiver ("Waiver Request") and I am familiar with the contents thereof.
3. I have also reviewed the specification for the Evolution Broadband devices covered by the *Evolution Broadband Waiver Order* (FCC 09-46).
4. Pursuant to the requirements in Paragraph 15 of the *Evolution Broadband Waiver Order*, I certify that the LWDTA-C01 is a one-way, low-cost, limited capability device that is no more advanced than the Evolution Broadband devices. The LWDTA-C01 does not have two-way, HD output, DVR, multiple tuning or Internet access capabilities.

I declare under penalty of perjury that the facts contained herein and within the foregoing Waiver Request are true and correct to the best of my knowledge, information and belief.


Alain Catrevaux
Chief Executive Officer
Logiways France SA

Executed on March 19, 2010

EXHIBIT A



pure. sharp. powerful.

LWDTA-C01 Specification

MPEG-2 Digital Transport Adaptator

The LWDTA-C01 is a cost-effective digital-to-analog receiver. With integrated CAS, the product allows reception of related pay TV programs.



Main Basic Features	
User Settings	Installation, Multiple Easy user reference settings
Channel Search	Automatic channel installation , Automatic channel list updates
Multilingual OSD	English, Spanish (selectable in UI)
Navigation menus	Zap-list, Banner
VIDEO	Video resolution 480i, Aspect ratio 4:3
AUDIO	Analog audio Stereo/Mono configuration Alternate AUDIO, with selection by language

Exhibit A



pure. sharp. powerful.

Hardware

Video Decoder	
Transport stream	MPEG-2 ISO/IEC 13818-1
Video decoding	MPEG-2 SD (MP@ML)
Video resolution	480i
Aspect ratio	4:3

Audio Decoder	
Standard	ISO/IEC13818-3 TR1011154
Audio decoding	MPEG-1, MPEG-2 Layer I & II, Dolby Digital AC-3
Sample rate	32 kHz, 44kHz, 48 kHz

Rear Panel	
Video	CVBS video output
Audio	2 Analog Audio L/R connectors (white/red color)
Serial Interface(Optional)	RS232

Front Panel	
Smartcard reader	ISO 7816
bi-colored LED	Red / Green to indicate the various states of the STB
7-segments LED / VFD	To display the channel number or/and other information
Keys	7 keys (Standby, P+, P-, V+, V-, Menu, OK)

Power	
AC input range	120V ~ +/-10%, 60Hz
Power consumption	< 12W
Standby consumption	< 3W
Low Power mode (idle)	< 1W

Physical	
Operating Temperature	40 ~ 110 °F
Storage Temperature	15 ~ +160 °F
Weight	3 lbs