

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

In the Matter of)
)
Media Bureau Action, Expedited Comment)
Dates Established For Requests of Waiver)
of Certain TV Tuner Requirements In Order)
to Import And Distribute Mobile DTV)
Receivers Without Analog Tuners)

MB Docket No. 10-111

Comments of Kenwood USA Corporation

Kenwood USA (“Kenwood”) hereby submits these Comments in response to the Commission Public Notice on the Media Bureau Action (“Expedited Comment Dates Established for Requests for Waiver of Certain TV Tuner Requirements in Order to Import and Distribute Mobile DTV Receivers Without Analog Tuners”). The Commission sought public comment on the waivers requested by Dell, LG Electronics, and Hauppauge (collectively, the “CE Petitioners”). These Comments support the position of the CE Petitioners, with some enhancement or clarification on the types of devices which should be subject to the proposed waiver. We also offer comment, as the Commission requested, on means to identify and describe those devices subject to the waiver.

I. Introduction

Dell and LGE are seeking a waiver “to permit the manufacturing, importation, marketing and sale of television receivers without analog tuners but which are capable of (1) receiving mobile digital television (“DTV”) transmissions made using the A/153 ATSC Mobile DTV Standard (“A/153”) or (2), at the manufacturer’s option, receiving mobile DTV transmissions

made using the A/153 standard and conventional DTV transmissions using the A/53 ATSC DTV Standard (“A/53”).” Dell and LGE further requested that the waiver be accorded to other manufacturers. Dell and LGE stated that the goal was “to permit receivers to be sold that are powered primarily by batteries and are designed for nomadic use in mobile and transient applications.”¹

Hauppauge, in its Petition for Waiver, supports the Dell/LGE Petition. Hauppauge states that the waiver should apply to “mobile television receivers (such as for cell phones, personal digital assistants (PDAs) notebooks and laptop computers) that contain digital only tuners”.²

Kenwood is an industry-leading consumer and communications electronics manufacturer and distributor held by JVC Kenwood Holdings, Inc. (“JKHD”). Kenwood has been deeply involved in the launch of digital broadcast technologies in the United States. Kenwood launched the first commercially-available Sirius Satellite receiver in February 2002 and the first commercial-available HD Radio in January 2004. In addition, Kenwood staff chair the Consumer Electronics Association’s Special Interest Group for ATSC-M/H and co-chair the National Radio Systems Committee’s Digital Radio Broadcast subcommittee.

II. Comments on the Petitions

Dell, LGE and Hauppauge have detailed the historical and legal background pertaining to the need for the subject waiver. In general, we agree and support their analysis and conclusions. Mobile DTV brings important benefits to the public and should be encouraged. This implies encouraging the “ecosystem” or receiver-side market of chips, software and devices.

¹ Dell Inc. and LG Electronics USA, Inc. Request for Waiver of Section 15.117 of the Commission’s Rules (filed May 12, 2010).

² Hauppauge Computer Works, Inc. Request for Waiver of Section 15.117 of the Commission’s Rules to Permit the Manufacture, Importation, Marketing, Distribution, and Sale of Digital Only Television Receivers for Mobile Devices (filed May 19, 2010).

In one market in particular, the combination of rules and technologies has almost completely eliminated television tuners. Tuners for vehicles, such as for Rear-Seat-Entertainment systems, must assume that the vehicle is in motion when the tuner is operating. Because ATSC A/53 tuners drop the signal at very low speeds—typically under 10mph—and because NTSC-only tuner sales are no longer permitted in the US, most major manufacturers for automotive applications have eliminated television from their product line-up and are looking forward to A/153 to solve these problems. In the meantime, there is a pent-up demand building for A/153 solutions that will require a national deployment of broadcasts and ready product availability from manufacturers.

On behalf of Kenwood and others involved in automotive infotainment systems, we believe the scope of the proposed waiver needs further clarification. The types of devices described as qualifying under the waiver are variously described as “battery-operated”³, “portable receivers that are primarily powered by batteries and that are designed for nomadic transient use”⁴, “capable of being handheld...or used in vehicles”⁵, “portable viewing devices such as cell phones, PDAs and laptops”⁶

There may be some possibility that the various descriptions and scope definitions could lead to inadvertent exclusion of certain critical mobile DTV receiver devices from the waiver. For example, it may be open to interpretation as to whether vehicle receivers which are powered by the vehicle are “battery powered,” although the intent of the Dell/LGE text on this point appears to be that devices installed in and powered by the vehicle should be included.⁷

³ See Dell/LGE Petition at 4.

⁴ Id. at 5.

⁵ Id. at 5.

⁶ See Happauge Petition at 5.

⁷ See Dell/LGE Petition at 5.

III. Defining “Qualifying Devices”

We believe the proposed waiver should be applied generally to “Qualifying Devices.” Simply put, a Qualifying Device should be defined as a mobile (non-fixed) device with the capability of decoding A/153 as adopted by the Advanced Television Systems Committee on October 15, 2009, or any later version published by ATSC. This broader scope would include all devices contemplated by the CE Petitioners in their requests for waivers. Additionally, eliminating the highly specific detail of “battery powered” allows for more innovation in device type in the CE industry. As a simple example, solar-powered mobile devices would be included in this simpler scope. Fixed DTV products and receivers (“converter boxes”) operating by household AC current would not be included.

IV. Identifying Qualifying Devices

The Public Notice requests comments on how to identify those mobile DTV receivers which have no analog tuner capability.

CE products are typically available in one of two kinds of packaging. Packaging intended to appeal to consumers uses two or more colors. Packaging that is intended for the dealer or retailer uses a single color ink and is referred to as “white box” packaging. While these two types of packaging are generally aimed at different audiences, there is considerable cross-over. For example, a consumer may purchase a white-box product at a discount or specialty store. As a result, the means of identification needs to fit the lowest common denominator packaging, which is the white box style. Multicolored logos would not work; text or monochrome logos would be feasible.

We concluded that a simple standardized text message is best. The words “Digital Only,”

clearly displayed on the outer box packaging, would accurately and succinctly convey the intended message. Consumers are already attuned to the difference between analog and digital television, thanks to extensive education during the digital transition.

V. Conclusions

The contemplated waiver, as proposed by the CE Petitioners, offer real benefits to consumers by eliminating an outdated and needless analog requirement which provides no benefit to consumers, thus speeding product to market at a lower cost. The waiver would also provide a direct stimulus to the overall deployment for the reasons stated above, which is also in the public interest. Kenwood urges the Commission to grant the limited waiver with the enhanced scope and text identification described herein.

Respectfully submitted,



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