

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

In the Matter of)	
)	
Dell Inc.)	
LG Electronics USA, Inc.)	
Hauppauge Computer Works, Inc.)	MB Docket No. 10- 111
)	
Requests for Waiver of Certain TV Tuner)	
Requirements In Order to Import and)	
Distribute Mobile DTV Receivers Without)	
Analog Tuners)	

Reply Comments

Hauppauge Computer Works, Inc. ("Hauppauge"), by its attorneys, hereby submits these Reply Comments in the above-captioned proceeding, in which all of the substantive comments support the waiver requests (the "Petitions") of Hauppauge and/or Dell/LG (the "Waiver Petitioners"). In response to such overwhelming support, Hauppauge respectfully urges the Commission quickly to grant the Petitions according to their proposed terms in order to permit the unrestricted manufacture, importation, marketing, distribution and sale of mobile television receivers (such as for cell phones, personal digital assistants, notebooks and laptop computers) that contain only digital TV tuners.

The comments broadly affirm and corroborate the Waiver Petitioners' many reasons in support of the waiver, including:

- analog TV receivers are power-hungry and impose severe disadvantages in terms of battery life;¹

¹ See, e.g., Comments of Harris Corporation at 6 ("Harris Comments"); Comments of Nagravision at 2 ("Nagravision Comments") (noting that, for nomadic devices, battery life may be a "primary" feature).

- including an analog TV tuner in cell phones and other mobile devices such as netbook and notebook computers will increase their size and create other technical challenges, thus seriously constraining such devices' marketability and manufacture;²
- mandated analog TV tuners in mobile devices will add unnecessary costs to each portable device, which will deter consumer adoption of such devices;³
- nearly all mobile devices would be unlikely to be able to receive any of the few remaining analog over-the-air low-power signals within the United States given the challenging conditions of their expected use;⁴
- facilitating consumer reception of mobile digital broadcast signals should alleviate some concerns regarding cell phone congestion, including recent announcements by AT&T that it will no longer support unlimited data offerings as part of its typical service plans;⁵ and
- waivers would quickly expand consumer access to live local digital TV programming, emergency broadcasts, and other important public safety content.⁶

Other comments offer multiple additional reasons in support of the Petitions, including:

- OMVC notes that the Commission itself is no longer accepting applications for new analog facilities, even for low-power stations, and has taken other steps to move quickly to an all-digital television broadcast environment.⁷
- Cox states that denial of Petitions "would turn [the All Channel Receiver Act's] underlying purpose on its head," by impeding, not facilitating, consumer adoption of new television services.⁸

² See, e.g., Comments of the Open Mobile Video Coalition at 3 ("OMVC Comments"); Harris Comments at 6; Comments of Consumer Electronic Association at 2-3 ("CEA Comments"); Comments of Winegard Company at 2.

³ See, e.g., OMVC Comments at 3; Harris Comments at 6; NagraVision Comments at 1.

⁴ See, e.g., Comments of Advanced Television Systems Committee, Inc., at 3; Comments of Cox Media Group, Inc., at 2-3; OMVC Comments at 3; Harris Comments at 6, 10; CEA Comments at 3. Even an operator of a low-power television station, in a very brief and informal submission, appears to agree that digital mobile should be encouraged (while encouraging mobile receiver designers not to focus solely on digital UHF signals). See Comments of Keith Leitch at 1.

⁵ See, e.g., AT&T Press Release, "AT&T Announces New Lower-Priced Wireless Data Plans to Make Mobile Internet More Affordable to More People" (available as of June 8, 2010, at <http://www.att.com/gen/press-room?pid=4800&cdvn=news&newsarticleid=30854>) (released June 2, 2010); Harris Comments at 7-8; Comments of Sinclair Broadcast Group, Inc., at 4.

⁶ See, e.g., Cox Comments at 2; Harris Comments at 8.

⁷ See OMVC Comments at 3.

⁸ See Cox Comments at 3-4.

- Harris contends that delaying grant of the Petitions also may diminish the viability of mobile TV service and video competition generally.⁹

Comments also demonstrate that new or extensive labeling mandates are not necessary with respect to such *mobile digital receivers*, which are planned to be marketed as precisely that.¹⁰

To the extent the comments raise issues beyond the specific details of the Petitions, Hauppauge does not reject or affirm any matter addressed, but respectfully asks the Commission not to delay action on the pending Petitions in order to address such other matters. As the Public Notice announcing this proceeding noted, "manufacturers need ...sufficient lead time to develop products for release to market."¹¹ Because time is of the essence, and because the requested waivers should do much to jump-start the potential mobile digital TV market,¹² the Commission should not prolong consideration of the Petitions in order to address other issues. Instead, and consistent with the bulk of the comments, the Commission should grant a waiver sufficient to ensure that digital TV receivers, or the TV tuner components of a digital TV receiver (whether internal or external to the receiver monitor), which are primarily battery powered and designed for nomadic use, should be exempt from any obligation under the Commission's Rules, including Section 15.117, to also include analog TV tuners. The proposed scope of the waivers requested by the Petitions is supported by a number of comments and is appropriately tailored;¹³ as one example, the proposed definition already includes "ATSC-only computer peripherals" referenced by one commenter insofar as those peripherals are primarily designed to be connected to laptops

⁹ See Harris Comments at 6, 8.

¹⁰ See, e.g., CEA Comments at 3.

¹¹ Public Notice, DA 10-873, May 20, 2010 at 2.

¹² See, e.g., OMVC Comments at 4-5; Comments of Roundbox Inc. at 2 ("Roundbox Comments").

¹³ See, e.g., CEA Comments at 3-4; Roundbox Comments at 1-2.

or other mobile or nomadic devices.¹⁴ However, to the extent parties seek a broader waiver than requested by the Waiver Petitioners, Hauppauge respectfully suggests that the Commission address such additional or broader waivers in a separate proceeding.

Hauppauge very much appreciates and commends the Commission for its prompt action in response to the Petitions. In the foregoing circumstances, and those described in the Hauppauge and Dell/LG Petitions, any unnecessary delay in granting the Petitions would disserve the public interest and be contrary to good regulatory policy. Accordingly, Hauppauge respectfully seeks prompt Commission issuance of the requested relief.

Respectfully submitted,

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¹⁴ Comments of Elgato Systems LLC at 13.