

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C.

In the Matter of)	
)	
Implementation of Section 304 of the)	
Telecommunications Act of 1996)	CS Dkt. No. 97-80
Devices)	
)	
Commercial Availability of Navigation Devices)	
)	
Compatibility Between Cable Systems and)	PP Dkt. No. 00-67
Consumer Electronics Equipment)	

COMMENTS OF ARRIS GROUP, INC.

ARRIS Group, Inc. (“ARRIS”), the manufacturer of the Moxi DVR, files these comments in response to the Further Notice of Proposed Rulemaking (“*Notice*”) in the above-captioned proceedings.¹

ARRIS is a U.S.-based manufacturer specializing in the design, engineering, and supply of technology supporting quad-play broadband services for residential and business customers. Our company manufactures a DVR under the brand name “Moxi®” which is certified as a Unidirectional Digital Cable Ready Product (“UDCP”) and sold at retail. We also supply broadband operators with the tools and platforms they need to deliver carrier-grade telephony, demand driven video, next-generation advertising, network and workforce management solutions, access and transport architectures, and ultra high-speed data services. Of particular note, ARRIS is developing next-generation

¹ *In the Matter of Implementation of Section 304 of the Telecommunications Act of 1996: Commercial Availability of Navigation Devices, Fourth Further Notice of Proposed Rulemaking, CS Dkt. No. 97-80, PP Dkt. No. 00-67 (rel. Apr. 21, 2010) (“Notice”).*

gateway solutions that will enable the delivery of MVPD, Internet, personal media, and other content to any device in the home.

ARRIS employs over 1,300 employees in the United States, is headquartered in Suwanee, Georgia, and has research and development centers in Suwanee; Beaverton, Oregon; Chicago, Illinois; Kirkland, Washington; State College, Pennsylvania; Wallingford, Connecticut; and Waltham, Massachusetts, among other places.

As noted, ARRIS manufactures the Moxi DVR. This device is sold directly to consumers through an ARRIS web site, www.moxi.com, and through Amazon's web site. The Moxi DVR competes for the same general market as TiVo's DVRs, but has significant differences, including no subscription fees, more tuners, IP-based multi-room playback, and access to a different array of embedded and home-networked Internet music, photography, and video service offerings. ARRIS acquired the Moxi DVR and other set top box product lines from Digeo in October, 2009.

The *Notice* invites comment on a proposal to clarify that CableLabs or other qualified testing facilities may not deny certification to a UDCP that meets the testing criteria in the Commission's existing rules.² In general, as described below, ARRIS has had a positive experience with CableLabs, and does not believe new rules are required in this area. Prior to the ARRIS acquisition, Digeo successfully achieved CableLabs' certification for the Moxi DVR. Beyond the Moxi certification, ARRIS has substantial experience with other CableLabs' certification processes for DOCSIS and PacketCable. The CableLabs' certification processes are exacting and precise by design and follow a

² See *id.* ¶ 18.

rigid schedule. However, these processes can be managed at reasonable cost and effort, as demonstrated by the large number of certified manufacturers and products.³

Furthermore, once UDCP certification is achieved, the manufacturer has the option to self-certify other UDCP products. We have found the certification processes to be fair and reasonable, and CableLabs staff to be professional. Accordingly, in light of our experiences with these processes, we believe that the existing rules and processes for UDCP certification are adequate.

The *Notice* also proposes to allow UDCP customers to self-install their CableCARDS if the MVPD allows its subscribers to self-install operator-leased set-top boxes.⁴ ARRIS supports this proposal. ARRIS currently provides extensive educational messaging for Moxi consumers on our web site and in the product documentation explaining the requirement for a CableCARD and how to obtain and install one. The Moxi DVR requires a multi-stream CableCARD (“M-CARD”). Our documentation is designed to facilitate a successful consumer self-install of the CableCARD, and we also provide on-line chat and toll free telephone support for Moxi customers. In addition, the Moxi DVR accepts remotely downloaded firmware updates to ensure product reliability and access to new features. With this type of cooperation between the UDCP manufacturer and the cable operator, CableCARD installations can be an effective option for UDCP customers.

³ See *In the Matter of Annual Assessment of the Status of Competition in the Market for the Delivery of Video Programming*, Thirteenth Annual Report, 24 FCC Rcd. 542, at ¶ 264 (2009) (noting that 548 UDCP models had been verified for use with CableCARDS).

⁴ See *Notice* ¶ 16.

With respect to the CableCARD pricing and billing proposal in the *Notice*,⁵ ARRIS notes that CableCARD pricing policies vary among cable operators and sometimes between and among cable systems of particular operators. However, in general, ARRIS does not believe that CableCARD pricing and billing practices impede consumer decision making on UDCP purchases.⁶

ARRIS also takes this opportunity to comment on the switched digital video (“SDV”) and Tuning Adapter questions raised in the *Notice*.⁷ About five percent of Moxi DVRs are deployed with Tuning Adapters. ARRIS provides educational materials to the consumer to help with Tuning Adapter installations. There have some issues related to installations, which, we believe, are mainly a function of the limited number of cable customers who require Tuning Adapters, but our educational materials have helped address most of these issues. Once the Tuning Adapters are placed in service, they work in providing Moxi customers with access to SDV channels and give them the experience and functionality they expect from the UDCP.

The *Notice* also seeks comment on a TiVo proposal to mandate the use of an IP backchannel to access SDV channels.⁸ While eliminating the need for the Tuning Adapter would be desirable, mandating an entirely new approach creates a real risk of doing more harm than good. Any alternative approach would need to be evaluated for

⁵ See *id.* ¶ 15.

⁶ With respect to professional installations, we have no objection to the proposal to require technicians to arrive with at least the number of CableCARDS requested by the customer. See *id.* ¶ 16.

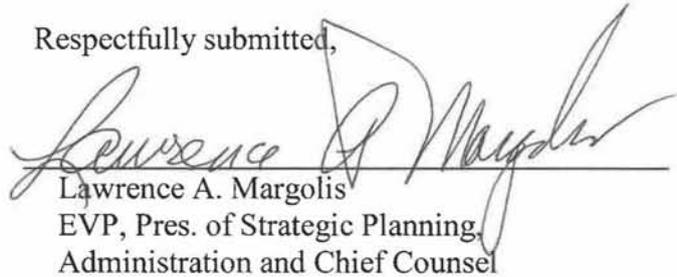
⁷ See *id.* ¶ 14.

⁸ See *id.*

the incremental investment it demands of operators and suppliers alike, along with operator implementation costs and risks. Given the success ARRIS has had with consumer education regarding installations of the Tuning Adapter, ARRIS does not believe that the Tuning Adapter issue is serious enough to distract from the more important task of developing next-generation gateway solutions for the home. As the Commission has suggested in its companion *AllVid NOI*,⁹ home gateway solutions hold real promise for consumers and for the Commission's navigation device goals, and industry efforts should be focused there.

ARRIS appreciates the Commission's review of CableCARD and related equipment issues in the *Notice*, and asks that it consider the recommendations set forth in these comments as work on this item continues.

Respectfully submitted,



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June 14, 2010

⁹ See *In re Video Device Competition; Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices; Compatibility Between Cable Systems and Consumer Electronics Equipment*, Fourth Further Notice of Proposed Rulemaking, MB Dkt. No. 10-91, CS Dkt. No. 97-80, PP Dkt. No. 00-67, FCC 10-60 (rel. Apr. 21, 2010) ("*AllVid NOI*").