

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.**

In the Matter of TiVo Inc.)
Petition for Waiver of Sections 15.118(b),) MB Docket No. 11-105
15.123(b)(1), and 15.123(c) of the)
Commission’s Rules)

**Comments of the
Consumer Electronics Association**

The Consumer Electronics Association (“CEA”) supports the petition of TiVo Inc., requesting a waiver of the analog tuner requirements for TiVo’s “Premiere Elite” product. CEA supports the Commission in its efforts to achieve the goals that Congress set forth in Section 629 of the Telecommunications Act – to promote true competition in video navigation devices by assuring that such devices will be available at retail, as well as from MVPDs. Rules that promote national standards for attaching video devices to cable and other MVPD systems can help achieve this goal, as the Commission has appropriately recognized.

In this instance, the rules requiring devices marketed as digital cable ready (DCR) to contain analog tuners is hindering retail availability of innovative new navigation devices because the rules effectively apply only to retail devices. As more cable operators and subscribers move to all-digital systems, the requirement that all retail devices contain an analog tuner – which is costly in price, size, and power consumption – increasingly places a disproportionate burden on retail devices. Waiving this requirement for the TiVo Premiere Elite will therefore advance the goals of Section 629.

The Commission's rules concerning DCR specifications and labeling serve the important function of informing consumers and protecting their investments in video devices. Rules that promote feature-rich national standards for the interface between devices and MVPD systems promote portability and consumer choice. The Commission should continue to advance these important, Congressionally mandated goals. In this instance, TiVo's voluntary commitments to inform consumers and minimize the purchase of products that are incompatible with a consumer's cable service serve the same goal, ultimately increasing consumer choice and value.

For these reasons, CEA respectfully requests that the Commission grant TiVo's petition for waiver.

Respectfully submitted,

/s/ Julie M. Kearney

Of counsel
Robert S. Schwartz
Mitchell L. Stoltz
Constantine Cannon LLP
1301 K Street, N.W.
Suite 1050 East
Washington, D.C. 20005
(202) 204-3508

Julie M. Kearney
Vice President, Regulatory Affairs
Consumer Electronics Association
1919 South Eads Street.
Arlington, VA 22202
Tel: (703) 907-7644

Dated: July 25, 2011

CERTIFICATE OF SERVICE

I do hereby certify that on July 25, 2011 I caused a true and correct copy of the foregoing Comments of the Consumer Electronics Association to be served via first-class mail on the following:

Matthew Zinn
Senior Vice President,
General Counsel, Secretary,
and Chief Privacy Officer
TiVo Inc.
2160 Gold Street
P.O. Box 2160
Alviso, CA 95002-2160

Gary S. Lutzker
Jason E. Rademacher
Dow Lohnes PLLC
1200 New Hampshire Avenue N.W.
Washington, DC 20036

/s/ Mitchell L. Stoltz
Mitchell L. Stoltz