

February 2, 2012

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554

**Re: Basic Service Tier Encryption; Compatibility Between Cable Systems and Consumer Electronics Equipment, MB Docket No. 11-169, PP Docket No. 00-67.**

Dear Ms. Dortch:

On January 31, 2012, Jordan Goldstein of Comcast Corporation and the undersigned spoke with Michelle Carey of the Media Bureau about the Commission's basic tier encryption Notice of Proposed Rulemaking ("NPRM").

In the conversation, we responded to a recent filing by Hauppauge Computer Works suggesting that basic tier encryption will be one transition too many for consumers.<sup>1</sup> As numerous commenters in this docket have pointed out,<sup>2</sup> in cable systems that have completed the transition to all-digital service, the overwhelming majority of customers already have equipment to receive encrypted channels, so the encryption of the basic service tier will largely be a non-event. And for the small number of customers using QAM devices, cable operators will provide equipment under the proposed equipment transition conditions.

We also noted that Hauppauge mischaracterized the customer experience in Comcast systems that are transitioning to all-digital service.<sup>3</sup> Comcast has worked to make our digital transition as seamless as possible for customers. We provide multiple notices to customers advising them about the transition and the need for equipment. Approximately 80 percent of customers have set-top boxes or

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<sup>1</sup> See Letter from Ken Plotkin, Hauppauge Computer Works, to Marlene H. Dortch, Secretary, FCC, MB Dkt. No. 11-169, PP Dkt. No. 00-67 (Jan. 26, 2012) ("Hauppauge Letter").

<sup>2</sup> See, e.g., Public Knowledge & Media Access Project Comments at 4; Comcast Comments at 13-15; NCTA Comments at 8-9; BendBroadband Comments at 4; see also Letter from Neal M Goldberg, NCTA, to Marlene H. Dortch, Secretary, FCC, MB Dkt. No. 11-169, PP Dkt. No. 00-67 (Dec. 29, 2011).

<sup>3</sup> See Hauppauge Letter at 1-2.

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DTAs mailed to them for self-install, rather than having to go to a service center to pick them up.<sup>4</sup> Of course, some customers may put off making such requests until the last minute, and may elect at that point to pick up their equipment at Comcast service centers rather than wait 3-5 days to get their DTAs by mail. Nonetheless, at the end of the process, the overwhelming majority of consumers have the equipment necessary to access encrypted channels.<sup>5</sup>

Kindly direct any questions regarding this matter to my attention.

Sincerely,

/s/ Jonathan Friedman

Jonathan Friedman

*Counsel for Comcast Corporation*

cc: Michelle Carey

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<sup>4</sup> See Comcast Comments at 5.

<sup>5</sup> It bears noting in this regard that customers with CableCARD-enabled retail devices, including PC devices, will be unaffected by basic tier encryption. Hauppauge has advised the Commission that it manufactures and sells a digital CableCARD receiver called the WinTV-DCR-2650 and that the product “has been extremely popular.” Hauppauge Reply Comments at 2 (also noting that “cable TV operators in the United States are doing a good job in the activation of CableCARDs”). Plainly, Hauppauge has seen benefits in building retail devices that can access encrypted cable channels.