

In the Matter of Basic Service Tier Encryption Compatibility between Cable Systems & Consumer Electronics Devices

As a consumer I write in opposition to industry plans for requiring standard encryption between cable systems and consumer electronics devices as I use devices like the Boxee Box and TV Tuners cards for my computer that lack digital encryption. If digital encryption becomes mandatory devices that lack digital encryption would become unusable and that's not fair to consumers. Cable TV and satellite providers have a monopoly on digital equipment for TVs – providing cable boxes etc on which the consumer cannot modify the software, change the user interfaces etc at all. I remember a few years back the now late Steve Jobs spoke about the problem Apple and others faced in competing in the TV market being a lack of interoperability between cable/satellite devices and those made by companies like Apple. Also most people already had three or four set top boxes including their cable or satellite TV box, a DVD Player/VCR combo, or separate DVD Player/VCR etc, a digital converter box if using a TV antenna and/or a video game console like the Sony PS3 or Microsoft Xbox 360 which have similar internet video capabilities as the Apple TV or Nintendo Wii. As a result having to add one more box makes things inconvenient. That was why he called the Apple TV set top box a hobby. No one had figured out how to make a device/program for the TV more useful than that of cable and satellite providers.

Consumers who already have so many devices would face set top fatigue getting more equipment to connect to their TVs. Apple is not the only company producing set top boxes there

is also Boxee Inc., and for a short time VUDU made their own set top box before deciding to integrate their software instead with other set top boxes including Blu Ray Disc Players, and HD TVs. To complicate matters even more some cable companies erecting the anti-competitive TV Everywhere pay-walls to discourage TV viewers from cutting the cord for cheaper a la carte online only programming with new TV Everywhere based services like Comcast's XFINITY TV, and Time Warner Cable's TWCable TV for iPad/iPhone app that require users to still pay for TV service along with broadband service are setting up arbitrary data caps that only affect competitor's services. So Comcast's IPTV services are exempt from Comcast's data caps but Netflix streaming is unfairly affected. The good news though is for consumers who do want to avoid paying more for bundled TV packages they can still install a TV antenna on their roof provided they get a digital converter box (their still available but will cost more now that the government rebate program has ended) and they can use these competing online video services that don't require TV Everywhere like Netflix Watch Now or Apple iTunes Store to stream or download videos.

Of course since the Digital Television transition mobile analog TVs people would take with them outdoors for camping etc will no longer work and cannot be made to work. Users will have to acquire new DTV based mobile devices including smartphones or tablets that can play video and use mobile DTV services like Qualcomm's abandoned MediaFlo service or wireless carrier based video services like Verizon VCast Video which I believe has now been renamed Verizon Video to access TV on mobile devices. The point is users should be able to continue to use unencrypted devices with their TVs. In the TV market consumers have the freedom to use the TV of their choice with any service provider they can get service from in their area.

Unlike cellular phones that are often locked to a specific carrier you can take your TV and use it with any provider but your cable box is just like the phone. It is proprietary and carrier specific. Do not let cable companies and the entertainment industry dictate what devices we can use with our TVs.

When the FCC issued its CableCARD ruling several years back it sought to make interoperability between devices easier but later found CableCARD to be hindering user freedom to tinker and innovate. About a year or two ago the FCC made the right move in proposing abandoning its CableCARD rules and suggesting creation and adoption of a new format AllVid which they would require to be more open and less proprietary than CableCARD however, after opposition from the cable lobby the FCC declined to require the development of and transition to AllVid devices. I believe this was a mistake on the FCC's part. They should have stood up to the cable industry and mandated AllVid.