



National Cable & Telecommunications Association
25 Massachusetts Avenue, NW – Suite 100
Washington, DC 20001
(202) 222-2300

www.ncta.com

Legal

(202) 222-2445
(202) 222-2446 Fax

September 17, 2012

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

**Re: Implementation of Sections 716 and 717 of the Communications Act of 1934,
as Enacted by the Twenty-First Century Communications and Video
Accessibility Act of 2010, CG Docket No. 10-213**

Dear Ms. Dortch:

On September 13, 2012, the undersigned and Jennifer McKee from the National Cable & Telecommunications Association (NCTA) and Daniel K. Alvarez from Willkie Farr & Gallagher LLP met with Rosaline Crawford, Eliot Greenwald, and John Herzog of the Commission's Consumer & Governmental Affairs Bureau to discuss NCTA's pending petition for limited waiver of the Commission's advanced communications services (ACS) rules for cable operator-supplied set-top boxes manufactured by July 1, 2016.¹

During the meeting, we provided an overview of the NCTA Petition. We explained that NCTA's waiver request meets the standard for a "primary purpose" waiver because receiving video signals and delivering those signals to consumer displays and recording devices – a non-ACS function – would still be the primary purpose of set-top boxes that would be affected by this limited waiver request. Additionally, we discussed the set-top box development cycle – from concept, to design, to testing, to deployment – and explained how that development cycle coincided with the waiver timeframe proposed in the NCTA Petition.

Please contact the undersigned if you have any questions regarding these issues.

Sincerely,

/s/ **Diane B. Burstein**

Diane B. Burstein

cc: R. Crawford
E. Greenwald
J. Herzog

¹ National Cable & Telecommunications Association Petition for Waiver, CG Docket Nos. 10-213 and 10-145, WT Docket No. 96-198 (June 6, 2012) (NCTA Petition).