

September 21, 2012

**FROM:** Universal Cablevision, Inc.

4440A 26<sup>th</sup> Street West

Bradenton, FL 34207

**TO:** Office of the Secretary

Federal Communications Commission

Washington, DC 20554

**RE: Docket 04-296 ~ WAIVER REQUEST**

**PETITION FOR WAIVER**

Universal Cablevision, Inc. (Universal) hereby requests waiver of the requirement in Section 11.46 of the Commission's Rules that all Emergency Alert System (EAS) participants must be able to receive Common Alert Protocol (CAP) EAS alerts no later than June 30, 2012 for the reasons stated herein:

1. Universal cannot afford to acquire and install the new equipment required to receive and forward alerts on its small cable system located in Bradenton, FL and:
2. Since there is no internet connection located at Universal's headend, the cost of installing, providing and maintaining this connection is so prohibitive it could force Universal to discontinue operations of its cable system.

Universal is a Florida corporation and provides basic (non-HD or fiber-optic) cable television service to 281 subscribers in a small area of the Bradenton, Florida community. Universal has been in business since 1980. It has obtained vendor estimates for the required equipment and has determined that cost to be in excess of \$5,000.00 (plus installation and ongoing testing costs).

In addition, the cost of a required internet connection, installation and necessary hardware/accessories is more than \$1,900.00 and the ongoing monthly bill is \$194.99 plus tax and applicable fees. Since we already suffer financially from an inability to acquire affordable programming, passing on these costs to our subscribers would not only put us 'out of the ball park' with regard to our monthly rates vs. the competition, it could also force us to go out of business as soon as legally and feasibly possible.

Section 1.3 of the Commission Rules permits the rules to be waived for good cause shown. Universal provides basic cable television service to a socio-economically deprived area of the community. Should we cease to exist, we believe this would be a huge detriment to our community since there would be no

affordable cable service for those who cannot pay for services provided by the local competition, i.e. Verizon and Bright House Networks.

Based on the availability of emergency information from Universal's own system, as well as other entities and mediums in our coverage area, we feel the likelihood of hazardous risk to our viewing audience, to be insignificant. Our own system carries more than 80 percent of the cable program suppliers who are voluntarily participating in the EAS program on the national and local level.

WHEREFORE, the above premises considered, Universal respectfully requests the Commission waive the requirement in Section 11.46 of the Rules that all EAS participants must be able to receive CAP-formatted EAS alerts, with respect to Universal Cablevision, Inc.'s cable television system.

Respectfully submitted,

John L. Manny

Universal Cablevision, Inc.

President and Owner