



National Cable & Telecommunications Association
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October 31, 2012

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

Re: MB Docket No. 12-230 (TiVo Inc. Petition for Waiver or Clarification)

Dear Ms. Dortch:

On October 31, 2012, Paul Glist from the law firm of Davis Wright Tremaine and I met with Lyle Elder, Attorney Advisor for Chairman Genachowski.

At the meeting, we provided an update to Mr. Elder on the progress NCTA member companies have made on compliance with the new HD set-top box connector requirements which become effective in December, 2012. We also discussed other matters that we covered in our Comments of September 21, 2012 at pages 1-2 and 4 and in our meeting with the Media Bureau on October 11, 2012. Attached is an *ex parte* letter we filed on October 15, 2012, with respect to that meeting.

If you have any questions, please contact me.

Respectfully submitted,

/s/ **Neal M. Goldberg**

Neal M. Goldberg

cc: Lyle Elder

Attachment



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Ms. Marlene H. Dortch
Secretary
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Re: MB Docket No. 12-230 (TiVo Inc. Petition for Waiver or Clarification)

Dear Ms. Dortch:

On October 11, 2012, Rick Chessen from the National Cable & Telecommunications Association (“NCTA”), Jud Cary from Cable Television Laboratories, Inc. (“CableLabs”), Paul Glist from the law firm of Davis Wright Tremaine, Jonathan Friedman from the law firm of Willkie, Farr and Gallagher, and I met with Bill Lake, Chief, Media Bureau, and Michelle Carey, Steven Broecker, Nancy Murphy, Alison Neplokh, Brendan Murray, and Holly Saurer of the Media Bureau as well as Henning Schulzrinne, FCC Chief Technologist.

At the meeting, we provided an update to the FCC staff on the progress NCTA member companies have made on compliance with the new HD set-top box connector requirements which become effective in December, 2012.

We did not address the merits of the TiVo Waiver Request in the above-referenced proceeding, but we did reiterate our support for the suggestion made by Verizon in that proceeding that the Bureau extend the HD set-top box compliance deadline by 18 months. As we explained, NCTA’s members have worked extensively and in good faith in standards bodies, including DLNA, MoCA, and W3C, to implement the output requirements by the December deadline. However, as the Commission is aware, work in DLNA and other fora is ongoing, and cable operators cannot control the timing or process of industry-wide standards bodies. Even once standards are finalized, all parties would benefit from more time to implement final standards in their offerings. Such an approach would also redound to the benefit of consumers.

We also explained that any waiver should be granted for all providers and manufacturers and not just to waiver applicants. In accordance with the statute and Commission precedent, any relief from the new rule should be afforded to all parties in a competitively-neutral manner. *See* NCTA Reply Comments in MB Docket Nos. 12-230 and 12-242, filed October 1, 2012 at 4-5.

Ms. Marlene H. Dortch

October 15, 2012

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If you have any questions, please contact me.

Respectfully submitted,

/s/ Neal M. Goldberg

Neal M. Goldberg

cc: William Lake
Henning Schulzrinne
Michelle Carey
Steven Broeckaert
Nancy Murphy
Alison Neplokh
Brendan Murray
Holly Saurer