

As a CableCard user for nearly seven years; reading the filing submitted by NCTA gives me great concern about continued support of my primary viewing platform. I've read false promises of innovation by the elimination of the integration ban while continuing support of CableCard due to the large deployment in MSO set-top boxes. These innovations have not been slowed by the integration ban, but rather the lack of competitive options to consumers as well as heavy restrictions in content licensing agreements that limit how the MVPD may distribute programming.

Moreover, as for the quoted third-party support, it should be noted to the commission that this is being meagerly achieved by MVPD in-house developed apps. It should be well understood that these apps do not provide an open interface specification to consumer electronic manufactures. At most, these apps provide an alternate viewing experience provided by the cable operator on customer furnished hardware. Through numerous filings, one thing that continues to be requested is the MVPDs full-control of the viewer experience. Meanwhile, TiVo's leadership in the DVR market and user experience (UX) has established what services are expected from alternative offerings. This leadership has in a very direct way shaped MVPD DVR offerings to their customers today. However, what is clear, without the integration ban third-party companies like TiVo would effectively be locked-out and unable to help shape these future market offerings.

Lastly, the allusion by the NCTA that MVPD CableCard-enabled set-top boxes will continue to receive content via traditional broadcast technology is misleading at best. It is foolish to assume that as the transition to IP content delivery approaches that legacy CableCard set-top boxes will not be upgraded with new software and firmware that takes advantage of these new distribution methods. Unfortunately, these upgrades will be unavailable to third-party devices such as TiVo and other CableCard enabled retail devices. As content is transitioned to the new IP distribution, legacy CableCard support will diminish until few channels remain available.

The techniques for DRM are commonplace in this day and age. Technologies such as DLNA provide an industry standard for an open specification for third-party DVR access. There are great benefits to be enjoyed by consumers by protecting their ability choose at retail technologies that enhance the user experience in their preferred way. Similar benefits are enjoyed by consumers today by purchasing DOCSIS cable modems at retail and plugging in any PC of their choice. In no way, should cable TV be any different.

I ask the commission to preserve the integration ban and identify a suitable successor prior to the start of IP based rollouts to preserve access to all channels provided by the MVPD.