

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Mediacom Communications Corporation)	CSR-7758-Z
)	
Bresnan Communications, LLC)	CSR-7117-Z
)	
Implementation of Section 304 of the Telecommunications Act of 1996)	CS Docket No. 97-80
)	
Commercial Availability of Navigation Devices)	

MEMORANDUM OPINION AND ORDER

Adopted: April 16, 2008

Released: April 16, 2008

By the Chief, Media Bureau:

I. INTRODUCTION

1. The above-captioned multichannel video programming distributors (“Petitioners”) have filed with the Chief of the Media Bureau requests for waiver (the “Waiver Requests”) of the ban on integrated set-top boxes set forth in Section 76.1204(a)(1) of the Commission’s rules.¹ The Petitioners seek waiver for systems that they commit to transition to all-digital by February 17, 2009.² Pursuant to the *All-Digital Order* precedent,³ we grant the requests for waiver of Section 76.1204(a)(1) of the Commission’s rules. As a condition of waiver, Bresnan Communications, LLC and Mediacom Communications Corporation must: (1) file with the Media Bureau sworn declarations within 10 days of the release of this order in which they commit to transition systems to all-digital on or before February 17, 2009;⁴ (2) notify all of their analog customers in those systems of their plans to transition to all-digital systems within 60 days of the release of this order, and again six months before completing their transitions, and each time submit sworn declarations to the Commission confirming that such notice has

¹ 47 C.F.R. § 76.1204(a)(1). The separation of the security element from the host device required by this rule is referred to as the “integration ban.”

² See Bresnan Communications, LLC’s First Amended Request for Waiver at 1-2 (filed Dec. 14, 2007); Mediacom Communications Corporation Waiver Request at 1; Letter from Seth Davidson, Counsel for Mediacom Communications Corporation to Steven A. Broeckart, Senior Deputy Division Chief, Policy Division, Media Bureau, Federal Communications Commission (filed March 14, 2008) (identifying the systems that Mediacom Communications Corporation intends to transition to all-digital).

³ See *Consolidated Requests For Waiver Of Section 76.1204(a)(1) of the Commission’s Rules*, 22 FCC Rcd 11780, 11802-04, ¶¶ 58-62 (2007) (“*All-DigitalOrder*”).

⁴ In the case of Bresnan Communications, LLC, it must commit to transition its Gillette, Wyoming system, and in the case of Mediacom Communications Corporation, it must commit to transition the systems that serve the communities identified in the Appendix to this Order.

been provided; (3) within 60 days of the release of this order, ensure that they have in their inventory or have placed orders for enough set-top boxes to ensure that each of their customers can continue to view video programming on their television sets after the transition and submit sworn declarations to the Commission confirming that this is the case, and (4) within 10 days of the release of this order, publicly commit to this plan by sworn declarations. As we explained in the *BendBroadband Order*, such declarations will “demonstrate [a] commitment to move to an all-digital network.”⁵

2. Accordingly, **IT IS ORDERED** that, pursuant to Sections 1.3 and 76.7 of the Commission’s rules, 47 C.F.R. §§ 1.3, 76.7, a limited, conditional waiver of Section 76.1204(a)(1) of the Commission’s rules, 47 C.F.R. § 76.1204(a)(1), **IS GRANTED** to Bresnan Communications, LLC for its system in Gillette, Wyoming, and to Mediacom Communications Corporation for the communities listed in the Appendix, conditioned as set forth in this Order.

3. This action is taken pursuant to authority delegated by Section 0.283 of the Commission’s rules, 47 C.F.R. § 0.283.

FEDERAL COMMUNICATIONS COMMISSION

Monica Shah Desai
Chief, Media Bureau

⁵ See *Bend Cable Communications, LLC d/b/a BendBroadband Request for Waiver of Section 76.1204(a)(1) of the Commission’s Rules*, 22 FCC Rcd 209, 216, ¶ 21 (2007) (“*BendBroadband Order*”).

APPENDIX

Cable Communities for which Mediacom Communications Corporation
is Granted Waiver
(Identified by CUID No.)

CA0559 – Ridgecrest, CA
CA0952 – China Lake Naval, CA
CA1030 – Trona, CA
CA1363 – Kern (NE), CA
CA0590 – Kern (NE), CA
CA1030 – Trona,
CA0109 – Sun City, CA
CA0620 – Pauma Valley, CA
CA1298 – Valley Center, CA
CA1547 – San Pasqual, CA
CA1548 – Rincón Reservation, CA
KY0317 – Cadiz, KY
KY0908 – Trigg, KY
KY0071 – Princeton, KY
KY0884 – Caldwell, KY
KY0827 – Fredonia, KY
KY0828 – Salem, KY
KY0889 – Crittenden, KY
KY0708 – Hardin, KY
KY0837 – Calloway, KY
KY0861 – Dexter, KY
KY0858 – Marshall, KY
KY0707 – Marshall, KY
MS0133 – Bay St. Louis, MS
MS0134 – Hancock, MS
MS0135 – Waveland, MS
AZ0077 – Ajo, AZ
AZ0010 – Nogales, AZ
AZ0037 – Rio Rico, AZ
AZ0052 – Santa Cruz, AZ