

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

In the Matter of	)	
	)	
Cablevision Systems Corporation	)	MB Docket No. 09-168
	)	
Request for Waiver of Section 76.630(a) of the Commission's Rules	)	
	)	

**MEMORANDUM OPINION AND ORDER**

**Adopted: November 5, 2009**

**Released: November 5, 2009**

**Reply Comment Date: November 16, 2009**

By the Chief, Media Bureau:

1. In this Order, we waive in part, *sua sponte*, our September 23, 2009 Public Notice in this proceeding<sup>1</sup> and Section 76.7(b)(1) and 76.7(c)(1) of the Commission's rules, which require service on all parties to the proceeding<sup>2</sup> and an indication that all comments have been served on the Petitioner.<sup>3</sup> We also extend the reply comment date for the Petitioner.

2. Section 76.7(b)(1) states that comments and oppositions "shall be served on the petitioner and on all persons listed in petitioner's certificate of service."<sup>4</sup> Section 76.7(c)(1) states that all replies "shall be served on all persons who have filed pleadings."<sup>5</sup> Unlike many waiver requests that the Bureau receives, this is a docketed proceeding in which all comments will be posted to the Commission's Electronic Comment Filing System.<sup>6</sup> In addition, as required by Section 76.630 of the Commission's rules,<sup>7</sup> Cablevision notified all subscribers of their waiver request and provided the opportunity to submit comments directly to Cablevision, as well as to the Commission. Therefore, all parties to the proceeding have access to the filings via ECFS and/or through comments filed directly on Cablevision, which makes service on the petitioner and other interested parties unnecessary in this particular case.

3. Given this decision to consider all comments filed in Docket 09-168 as part of the official record regardless of whether they were served on the petitioner, we grant Cablevision additional time to file its reply. In the *Encryption Waiver PN*, we provided Cablevision with eleven days from the date comments were due in which to file its reply. Therefore, we establish a new deadline for replies to be filed eleven days from the release date of this order: November 16, 2009.

<sup>1</sup> *Media Bureau Seeks Comment on Cablevision's Request for Waiver of the Prohibition on Encryption of the Basic Service Tier*, 24 FCC Rcd 12017 (MB Public Notice 2009) ("*Encryption Waiver PN*").

<sup>2</sup> 47 C.F.R. §§ 76.7(b)(1), (c)(1).

<sup>3</sup> *Encryption Waiver PN*, 24 FCC Rcd at 12018.

<sup>4</sup> 47 C.F.R. § 76.7(b)(1).

<sup>5</sup> 47 C.F.R. § 76.7(c)(1).

<sup>6</sup> *Encryption Waiver PN*, 24 FCC Rcd at 12018 ("All filings must be submitted in MB Docket No. 09-168.").

<sup>7</sup> 47 C.F.R. § 76.630(a).

4. Accordingly, **IT IS ORDERED** that, pursuant to 4(i), 4(j) and 5(c) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j) and 155(c), and Sections 1.3, 76.7 of the Commission's rules, 47 C.F.R. §§ 1.3, and 76.7, the requirement that parties be served hard copies of the comments, reply comments, and *ex parte* letters in this proceeding **IS WAIVED**.

5. This action is taken pursuant to authority delegated by Section 0.283 of the Commission's rules.<sup>8</sup>

FEDERAL COMMUNICATIONS COMMISSION

William T. Lake  
Chief, Media Bureau

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<sup>8</sup> 47 C.F.R. § 0.283.