



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-888-835-5322

DA 09-2399

Released: November 9, 2009

MEDIA BUREAU ACTION

MEDIA BUREAU SEEKS COMMENT ON INTEL'S REQUEST FOR WAIVER OF THE IEEE-1394 OUTPUT REQUIREMENT

CS Docket No. 97-80 / CSR-8229-Z

Comment Date: November 30, 2009

Reply Comment Date: December 10, 2009

Intel Corporation ("Intel") has filed a request pursuant to Sections 629(a) and 629(c) of the Communications Act¹ and 1.3, 76.7, and 76.1207 of the Commission's rules² for waiver of part of Section 76.640(b)(4)(ii) of the Commission's rules.³ Section 76.640(b)(4)(ii) requires cable operators to include a DVI or HDMI interface and an IEEE 1394 interface on all high definition set-top boxes ("STBs") that they acquire for distribution to customers. Intel seeks waiver of this rule section with respect to the IEEE 1394 interface requirement on behalf of cable operators who wish to deploy STBs that incorporate Intel's "system-on-a-chip" media processors.

Intel states that, at the time the regulation was adopted, the IEEE 1394 interface was the only suitable digital output technology for digital networking and home networking.⁴ Intel asserts that since the time the regulation was adopted, the market has moved away from the "expensive" IEEE 1394 connection to widely deployed Internet protocol ("IP") technologies.⁵ Intel states that its CE3100 and CE4100 system-on-a-chip processors will provide the next-generation platform that will allow cable set-top boxes equipped with those processors to connect all of a user's digital entertainment and information devices into a seamless IP network.⁶ Intel explains that these devices will use the same IP technologies that are

¹ 47 U.S.C. §§ 549(a), 549(c).

² 47 C.F.R. § 76.7.

³ 47 C.F.R. § 76.630(a).

⁴ Waiver Request at 7-8.

⁵ *Id.* at 8-9.

⁶ *Id.* at 12.

currently used in existing digital recording and information technology products and home networks.⁷ Intel argues, however, that due to the cost of including IEEE 1394 capability in system-on-a-chip processors, without a waiver, it will be cost prohibitive for Intel to bring its CE3100 and CE4100 system-on-a-chip processors to market.⁸ Intel further states that “IEEE 1394 is not used as a networking technology on common consumer electronics products intended for the living room.”⁹

Intel argues that its requested waiver is justified because if the waiver is granted, STBs with the CE3100 or CE4100 system-on-a-chip processors that cable operators deploy to consumers will be supported by and will be able to network with Digital Living Network Alliance (“DLNA”) devices.¹⁰ Intel claims that DLNA is the industry group responsible for adopting the most widely used, voluntary home networking standards, and asserts that 300 million DLNA-certified devices are expected to ship in 2012.¹¹ Accordingly, Intel argues, an IP connection will advance the Commission’s goals of promoting innovation, home networking, and consumer flexibility better than the existing IEEE 1394 requirement,¹² at a significant cost savings.¹³

We seek comment on Intel’s request.

This proceeding will be treated as “permit but disclose” for purposes of the Commission’s *ex parte* rules.¹⁴ As a result of the permit-but-disclose status of this proceeding, *ex parte* presentations will be governed by the procedures set forth in Section 1.1206 of the Commission’s rules applicable to non-restricted proceedings.¹⁵

Comments and oppositions are due November 30, 2009. Petitioner’s reply is due December 10, 2009. All filings must be submitted in CS Docket No. 97-80 and CSR-8229-Z. Pleadings sent via e-mail to the Commission will be considered informal and will not be part of the official record. Interested parties will have access to comments online through the Commission’s Electronic Comment Filing System (ECFS), and therefore we waive the requirements of Sections 76.7(b)(1) and 76.7(c)(1) that comments and oppositions be served on interested parties.¹⁶

Comments may be filed using: (1) (ECFS), (2) the Federal Government’s eRulemaking Portal, or (3) by filing paper copies.¹⁷

⁷ *Id.* at 8-9.

⁸ *Id.* at 4-5 . Intel requests that the waiver be granted with respect to IP networking without specifying a connector. *Id.* at 1 n.3.

⁹ *Id.* At 5.

¹⁰ *Id.* at 5.

¹¹ *Id.* at 8.

¹² *Id.* at 13-15.

¹³ *Id.* at 16.

¹⁴ See 47 C.F.R. §§ 1.1200-1.1216.

¹⁵ 47 C.F.R. § 1.1206.

¹⁶ 47 C.F.R. §§ 76.7(b)(1), 76.7(c)(1).

¹⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, Report and Order, 13 FCC Rcd 11322, 11326, para. 8 (April 6, 1998).

Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://www.fcc.gov/cgb/ecfs/> or the Federal eRulemaking Portal: <http://www.regulations.gov>. Filers should follow the instructions provided on the website for submitting comments.

For ECFS filers, in completing the transmittal screen, filers should include their full name, U.S. Postal service mailing address, and the applicable docket number: MB Docket No. 09-168. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions, filers should send an e-mail to ecfs@fcc.gov, and include the following words in the body of the message: "get form". A sample form and instructions will be sent in response.

Paper Filers: Parties who choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

The Commission's contractor will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, NE, Suite 110, Washington, D.C. 20002. The filing hours at this location are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of *before* entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.

U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.

One copy of each pleading must be sent to Brendan Murray, Media Bureau, Room 4-A737, 445 12th Street, S.W., Washington, D.C. 20554 or Brendan.Murray@fcc.gov.

Copies of the Waiver Request and any subsequently filed documents in this matter are also available for inspection in the Commission's Reference Information Center:

445 12th Street, S.W.
Washington, D.C. 20554
(202) 418-0270

Alternate formats of this Public Notice (computer diskette, large print, audio recording, or Braille) are available to persons with disabilities by contacting the Consumer and Governmental Affairs Bureau at (202) 418-0530 or (202) 418-7365 (TTY).

For further information, contact Brendan Murray of the Media Bureau, (202) 418-2120. Press inquiries should be directed to Janice Wise, (202) 418-8165 or Janice.Wise@fcc.gov. TTY: (202) 418-7172 or (888) 835-5322.