



PUBLIC NOTICE

Federal Communications Commission
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DA 12-1103

Released: July 11, 2012

MEDIA BUREAU ACTION

MEDIA BUREAU SEEKS COMMENT ON ENSEO INC.'S PETITION FOR WAIVER OF CERTAIN "CABLE READY" REQUIREMENTS

MB Docket No. 12-188

Comment Date: July 31, 2012

Reply Comment Date: August 10, 2012

Enseo Inc. ("Enseo") has filed a petition requesting that the Commission waive certain "Cable Ready" certification, marketing, and labeling rules as they pertain to Enseo's CableCARD-compatible set-top boxes.¹ The HD4000 series set-top box is a CableCARD-enabled set-back box, designed specifically for hotels and other commercial and governmental customers rather than the general public.² Enseo seeks waiver of four of the Commission's rules that are intended to properly inform consumers about the functionality of the equipment they are purchasing. Specifically, Enseo requests waiver with respect to the HD4000 series of: (1) Section 15.118(b), which requires cable-ready consumer electronics equipment to be capable of receiving analog NTSC channels 1 through 125,³ (2) Section 15.123(b)(1), which requires all unidirectional digital cable products to be capable of tuning NTSC channels transmitted in the clear, (3) Section 15.123(c), which outlines tests and standards that unidirectional digital cable products must satisfy before going to market, and (4) Section 15.123(d), which requires post-sale documentation to state that the product can receive analog basic programming.⁴ Enseo claims that these compatibility and consumer protection measures should not be applicable to the HD4000 because it will only be available for sale to sophisticated corporate and governmental purchasers, and that Enseo will clearly describe the services with which the HD4000 is compatible.⁵ We seek comment on Enseo's request for waiver of Sections 15.118(b), 15.123(b)(1), 15.123(c), and 15.123(d) with respect to its HD4000 product.

This proceeding will be treated as "permit but disclose" for purposes of the Commission's *ex parte* rules. See 47 C.F.R. § 1.1200, 1.1206. As a result of the permit-but-disclose status of this

¹ Enseo Petition at 1-5.

² Enseo Petition at 2.

³ NTSC, the National Television System Committee broadcasting standard, is the analog television system used by analog cable systems and certain low-power, Class A, and translator over-the-air stations.

⁴ See 47 C.F.R. §§ 15.118(b), 15.123(b)(1), 15.123(c), and 15.123(d).

⁵ Enseo Petition at 5-9.

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.⁶

Interested parties may file comments on or before **July 31, 2012** and reply comments on or before **August 10, 2012**. All filings must reference **MB Docket No. 12-188**. Comments sent via email to the Commission will be considered informal and will not be part of the official record. Comments may be filed using: (1) the Commission's Electronic Comment Filing System (ECFS), (2) the Federal Government's eRulemaking Portal, or (3) by filing paper copies.⁷

- **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. 12-188**. 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.
 - All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. 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, S.W., Washington, D.C. 20554.

All filings must be addressed to the Commission's Secretary, Marlene H. Dortch, Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554. Parties should also send a copy of their filing to Brendan Murray, Media Bureau, Room 4-A737, 445 12th Street, S.W., Washington, D.C. 20554 or brendan.murray@fcc.gov. Parties must also serve one copy with the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 488-5300, or via e-mail to fcc@bcpiweb.com.

Documents in **MB Docket No. 12-188** are available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th St., S.W., Room CYA257, Washington, DC 20554, telephone (202) 418-0270. They may also be purchased from the

⁶ 47 C.F.R. § 1.1206.

⁷ See *Electronic Filing of Documents in Rulemaking Proceedings*, GC Docket No. 97-113, *Report and Order*, 13 FCC Rcd 11322, 11326, ¶ 8 (1998).

Commission's copy contractor, Best Copy and Printing, Inc., telephone (202) 488-5300, facsimile (202) 488-5563, or via email at fcc@bcpiweb.com.

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For further information, contact Brendan Murray, (202) 418-1573. Press inquiries should be directed to Janice Wise, (202) 418-8165.

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