



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 16-1308

Released: November 22, 2016

MEDIA BUREAU ACTION

MEDIA BUREAU SEEKS COMMENT ON TIVO'S REQUEST FOR EXTENSION OF WAIVER OF THE AUDIOVISUAL OUTPUT REQUIREMENT OF SECTION 76.640(b)(4)(iii)

MB Docket No. 14-146

Comment Date: December 6, 2016

Reply Comment Date: December 13, 2016

TiVo Inc. ("TiVo") has filed a petition for extension of a waiver of Section 76.640(b)(4)(iii) of the Commission's rules.¹ Section 76.640(b)(4)(iii) requires that set-top boxes provided by cable operators include a digital interface to enable consumers to connect consumer electronics devices that they own to set-top boxes that they lease from their cable operators for whole-home viewing and recording.² The Bureau granted TiVo a waiver of the rule until June 1, 2017, and TiVo now seeks extension of that waiver through at least December 31, 2018.³ We seek comment on TiVo's request.

This proceeding will be treated as "permit but disclose" for purposes of the Commission's *ex parte* rules.⁴ 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.⁵

Comments and oppositions are due **December 6, 2016**. Petitioner's reply is due **December 13, 2016**. All filings must be submitted in MB Docket No. 14-146. 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.⁶

¹ 47 C.F.R. § 76.640(b)(4)(iii). *In the Matter of TiVo Inc. Petition for Clarification or Waiver of 47 C.F.R. 76.640(b)(4)(iii); Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices*, 30 FCC Rcd 4951 (MB 2015) ("Waiver Order").

² *Implementation of Section 304 of the Telecommunications Act of 1996; Commercial Availability of Navigation Devices*, 25 FCC Rcd 14657, 14677-9, paras. 39-44 (2010).

³ TiVo Petition at 1 (filed July 22, 2016).

⁴ See 47 C.F.R. §§ 1.1200-1.1216.

⁵ 47 C.F.R. § 1.1206.

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

Comments may be filed using: (1) (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: CS Docket No. 14-146. 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 filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

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. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building. The filing hours are 8:00 a.m. to 7:00 p.m.

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, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

One copy of each pleading must be sent to Brendan Murray, Media Bureau, Room 4-A726, 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., Room CY-B402
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.

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⁷ 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).