



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

June 9, 2010

The Honorable Betsy Markey
U.S. House of Representatives
1229 Longworth House Office Building
Washington, D.C. 20515

Dear Congresswoman Markey:

Thank you for your letter regarding a *First Amended Request for Waiver* that Baja Broadband Operating Company, LLC, filed with the Commission. Specifically, Baja Broadband requested a waiver of the Commission's rule (76.1204(a)(1)) that prohibits cable television system operators from deploying new set-top boxes with integrated security (the "integration ban").

The Baja Broadband petition sought a waiver of the integration ban so that the company may provide consumers with refurbished integrated navigation equipment, including high-definition (HD) and digital video recorder (DVR) devices. On March 4, 2010, the Commission's Media Bureau adopted a *Memorandum Opinion and Order* (DA 10-373) granting Baja's waiver request, with conditions. Specifically, Baja is required to purchase its refurbished devices only from companies that also commit to sell the devices directly to Baja's subscribers. Baja also is required to notify its subscribers that refurbished devices are available for purchase directly from Baja's supplier, and provide subscribers with the contact information for the supplier. For your information, I am enclosing a copy of the Bureau's *Order*.

I appreciate your interest in this matter. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Julius Genachowski

Enclosure