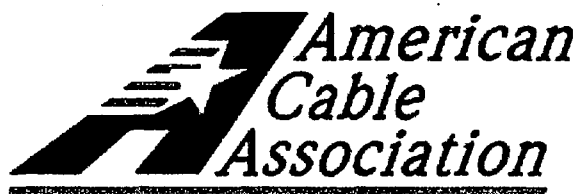


Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of:)
Cable One, Inc.)
Request for Waiver of) CSR-8080-Z
47 C.F.R. § 76.1204(a)(1))
To: Chief, Media Bureau)



COMMENTS IN SUPPORT OF REQUEST FOR WAIVER

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November 28, 2008

I. Introduction.

In numerous filings, ACA has shown the critical need for low-cost set-top boxes to be available to small and medium-sized cable operators. Such devices would allow these independent video distributors to upgrade their systems to all-digital platforms and deliver advanced services to their customers, such as more high definition ("HD") programming choices, and broadband speeds with the potential to approach 100 Mbps.

For the reasons set forth below, ACA strongly supports Cable ONE's novel Request for Waiver of 47 C.F.R. § 76.1204(a)(1) to deploy low-cost, one-way, integrated HD-capable all-digital devices ("HD ADDs") in its Dyersburg, Tennessee area cable system,¹ and urges the granting of Cable ONE's Request for Waiver on an expedited basis.

American Cable Association. ACA represents nearly 1,100 independent cable companies that serve more than 7 million cable subscribers, primarily in smaller markets and rural areas. ACA member systems are located in all 50 states and in nearly every congressional district. The companies range from family-run cable businesses serving a single town to multiple-system operators that focus on serving smaller markets. More than half of ACA's members serve fewer than 1,000 subscribers. All ACA members face the challenges of upgrading and operating broadband networks in lower-density markets.

II. The public interest would benefit from the availability of low-cost digital set-top boxes to small and medium-sized operators.

The availability of low-cost digital set-top boxes would allow small and

¹ *In the Matter of Cable One, Inc.*, Request for Waiver of 47 C.F.R. § 76.1204(a)(1), CSR-8080-Z (filed Oct. 24, 2008) ("Request for Waiver").

medium-sized cable operators to upgrade to all-digital platforms, and deliver affordable advanced services to their customers.

In order for a cable system to transition to an all-digital platform, the system's operator must purchase and deploy digital set-top boxes to all of its subscribers that are without digital cable-ready devices. However, under the Commission's existing rules and regulations that ban integrated set-top boxes,² small and medium-sized operators cannot afford to purchase the devices that are currently available on the market in the quantities required for them to upgrade to all-digital systems. Until such time as affordable options are available, these video distributors--many of whom serve higher-cost, lower-income markets--will need waivers.

With low-cost set-top boxes, small and medium-sized cable operators can transition to all-digital systems, thus enabling them to provide affordable advanced services to their customers. Transitioning to an all-digital system allows cable operators to reclaim bandwidth, and provide their customers with more services, including HD programming, phone, and broadband speeds with the potential to approach 100 Mbps. With low-cost set-top boxes, these services could be offered at affordable prices, which is especially important for cable systems that serve lower-income subscribers.

The availability of low-cost boxes with HD capability, such as the HD ADD device for which Cable ONE seeks a waiver in this proceeding, would provide even greater benefits to consumers by allowing customers of small and medium-

² See 47 C.F.R. § 76.1204(a)(1).

sized cable operators to affordably receive HD programming on their homes' second and third television sets.

III. Cable ONE's Request for Waiver will benefit the public interest.

In its Request for Waiver, Cable ONE seeks to deploy low-cost HD ADDs in its Dyersburg, Tennessee area cable system, which would allow it to reclaim bandwidth in order to offer its Dyersburg customers advanced services such as additional HD programming and broadband Internet access.³ ACA supports the granting of Cable ONE's Request for Waiver because the public interest benefits are both manifest and compelling.

As noted in its Request for Waiver, Cable ONE has committed to supplying its Dyersburg customers with a low-cost HD ADD at no charge, and to provide additional low-cost HD ADDs for second and third household televisions for a monthly fee totaling less than one dollar.⁴ In addition, Cable ONE has committed to offering its Dyersburg customers, for a minimum of five years, at least 50 HD networks at no additional service charge beyond what those subscribers currently pay for the service tier containing the analog and standard definition versions of those networks if it is granted a waiver.⁵

IV. Conclusion.

For small and medium-sized operators, low-cost set-top boxes are essential to providing their customers with affordable advanced digital services, and

³ Request for Waiver at 4-5.


⁴ *Id.* at 14-15.

⁵ *Id.* at 14.

operators' transition to all-digital systems. In its Request for Waiver, Cable ONE has detailed the evident and convincing public interest benefits that support the granting of its Request for Waiver. ACA therefore urges the Commission to grant Cable ONE's Request for Waiver on an expedited basis.

Respectfully submitted,

AMERICAN CABLE ASSOCIATION

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