

**Before the
National Telecommunications and Information Administration
Washington, D.C. 20230**

In the Matter of)	
)	
The Household Eligibility and Application)	Docket No. 080324461-8462-01
Process of the Coupon Program for Individuals)	
Residing in Nursing Homes and Households that)	RIN 0660-AA17
Utilize Post Office Boxes; Waiver)	

**Comments Of
The Consumer Electronics Association**

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June 9, 2008

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**Comments Of
The Consumer Electronics Association**

The Consumer Electronics Association (“CEA”) respectfully submits these Comments in response to the National Telecommunications and Information Administration (“NTIA”) Notice of Proposed Rulemaking and Request For Comments (“NPRM”)¹ in the above referenced matter. CEA is the principal trade association promoting growth in the consumer technology industry through technology policy, events, research, promotion and the fostering of business and strategic relationships. CEA represents more than 2,200 corporate members involved in the design, development, manufacturing, distribution and integration of audio, video, mobile electronics, wireless and landline communications, information technology, home networking, multimedia and accessory products, as well as related services that are sold through consumer channels.

CEA, as a founder and member of the Steering Committee of the DTV Transition Coalition, has actively and comprehensively supported the outreach and messaging efforts of the public and private sectors, to assure that no U.S. resident suffers from lack of information about

¹ Notice of Proposed Rulemaking; Request for Comments, 73 *Fed. Reg.* 22120 (Apr. 24, 2008).

the transition to digital television. Underscoring the importance and unprecedented nature of the Converter program, CEA joined with the National Association of Broadcasters (“NAB”) and the Association for Maximum Service Television (“MSTV”) in filing comments on NTIA’s initial rulemaking.

Based on its close and comprehensive involvement in the Transition Coalition and cooperation with NTIA and the Federal Communications Commission (“FCC”), CEA believes that both the Transition and the Converter program are on course and are being well administered, with the aid of an evolving and successful public / private partnership. Hence, CEA would advise NTIA to be cautious with respect to any changes to its program, at this advanced date, based on the following considerations:

- As the private and public sectors work constructively on consensus messaging to eliminate and avoid any confusion, it is important to avoid new explanations that would distract from vital basic information. Therefore, NTIA should be cautious about any additional initiative or “fix,” even if worthy with respect to some in the consuming public, that would need to be generally explained. Any such change at this late date could impede or blur public understanding of essentials.
- Any presently proposed change to the NTIA regulations and program could not be finalized and implemented in regulations, and then in the field, until significantly later this year – only a few months from the Transition date. This will be a critical time period, especially for manufacturers and retailers invested in the Coupon Eligible Converter Box program, during which any confusion or market disruptions could make manufacturers and retailers’ production and inventory planning and stocking of Coupon Eligible Converter Boxes more difficult and less precise. Any such

impairments would work to the detriment of consumers as the Transition date approaches. Hence, the necessity for this or any further revision to NTIA regulations needs to be carefully documented and confirmed, before any such risk is assumed.

Based on the considerations set forth above, CEA believes that the modest changes to regulations, as proposed by the NTIA in this NPRM, are justifiable:

- NTIA's information as to denials of Converters to nursing home residents and consumers who maintain post office boxes is based on well-documented experience that has been compiled directly by NTIA and its Contractor team since consumers first began applying for Coupons in January. It is not based on speculation, assumption, or projection.
- The measures proposed by NTIA to deal with this problem are limited and specific and should not have any impact on the accuracy or reliability of core public / private consensus outreach and messaging, cause consumer confusion, or have a significant impact on Converter ordering, inventory, or marketing to consumers based on actual need for Converter models.
- While the proposal requires the furnishing of more specific information by consumers wishing to take advantage of the program enhancements, either directly or on behalf of others, it does not impact on the core marketplace aspect of the program: that a valid Coupon, once received by an eligible consumer, need not be authenticated to that consumer by the retailer. Any such requirement would greatly impair the market-based operation of the program at retail, which by all reports and appearances has been remarkably smooth to date.

Accordingly, CEA believes that the adjustments to consumer eligibility to receive Coupons from the NTIA, as specifically proposed in this NPRM, are in accordance with CEA's proposed metrics, as set forth above, for any adjustment in the existing NTIA regulations.

Respectfully submitted,

/s/ Veronica O'Connell

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