



National Cable & Telecommunications Association
25 Massachusetts Avenue, NW
Suite 100
Washington, DC 20001-1431
(202) 222-2300

Science & Technology
(202) 222-2475
(202) 222-2476 Fax

November 14, 2007

Ms. Katharine Kaplan
ENERGY STAR Product Manager
Consumer Electronics and Office Equipment
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Re: ENERGY STAR® Program Requirements for Set-top Boxes

Dear Ms. Kaplan:

On behalf of the National Cable & Telecommunications Association (“NCTA”), I am responding to the request by the Environmental Protection Agency (“EPA”) for comments from industry stakeholders on the ENERGY STAR® Program Requirements for Set-top Boxes. NCTA is the principal trade association for the U.S. cable television industry, representing cable operators serving more than 90 percent of the nation's cable television households, more than 200 cable program networks, and suppliers of equipment, including set-top boxes, and services to the cable industry.

NCTA supports a voluntary federal program designed to promote the manufacture and use of more energy-efficient set-top boxes and welcomes the opportunity to submit the attached detailed comments and recommendations on the latest versions of the ENERGY STAR® Program Requirements documents to the EPA in an effort to assist in the ongoing development of the program.¹ Our comments and recommendations in spreadsheet format (attached) address a number of areas, including the following:

¹ ENERGY STAR® Program Requirements for Cable, Satellite, and Telecom Service Providers, Draft 2 Version 1.0, October 5, 2007, and ENERGY STAR® Program Requirements for Set-top Boxes, Draft 2 Version 2.0, Corrected October 22, 2007.

Base Functionality Allowance

The base annual energy allowance currently associated with cable set-top boxes does not appear to include the annual power consumption necessary for the CableCARD™. Consequently, we have offered our recommendation as to how this base annual energy allowance should be revised to account for this critical set-top box component.²

Compliance Dates

Based on feedback from our members, we have suggested a more reasonable schedule in which to design, develop, manufacture, test and deploy set-top boxes meeting the ENERGY STAR® Program Requirements for Set-top Boxes as currently envisioned. These dates assume, as we suggest later, that the current Tier 2 requirements are removed.

DOCSIS

DOCSIS-based technology will be an integral component used in digital set-top boxes. The energy consumption of DOCSIS tuners, receivers and transmitters should be included under “Additional Functionalities Allowance.” We have provided the energy consumption values associated with these components.

Home Network Interface

Digital set-top boxes utilize a variety of interfaces to allow incorporation of the device into home networks. Consequently, a generic “Home Network Interface” category should be added under “Additional Functionalities Allowance” to account for this variety. We have suggested a conservative annual energy consumption value to associate with the Home Network Interface.

Service Provider Testing

We believe the requirement placed on cable service providers to re-test a set-top box for ENERGY STAR® compliance after it has been previously qualified by the manufacturer is unnecessary. It is sufficient for service providers to rely on the manufacturer’s statement of compliance.

² With the exception of set-top boxes provided by some cable service providers who have received waivers, FCC regulations require that all digital cable set-top boxes include a CableCARD™.

Standby Mode

We have suggested language to help clarify that set-top boxes are also allowed to exit standby mode in the event of an Emergency Alert System (“EAS”) alert message.³ We also do not believe that it was the EPA’s intent to arbitrarily limit the period of time necessary for a set-top box to scan for program and system information, private data, or other maintenance activity after it has been deployed in the field. Therefore, we have suggested language to help clarify that the set-top is constrained to no longer than it takes to perform these maintenance tasks, but for qualification purposes, this period of time is constrained to no longer than one hour in an eight-hour period as previously recommended by the EPA.

Tier 2

Set-top box features and components will evolve dramatically over time, making it impossible to accurately predict now which features and components our customers might find acceptable and consequently how much energy these features and components might consume. Therefore, we believe it is premature for the EPA to include a “Tier 2” in the ENERGY STAR[®] set-top program requirements. Similar to what the EPA has done in other ENERGY STAR[®] programs,⁴ a better approach would be for the EPA and industry stakeholders to periodically re-examine annual energy allowances for set-top base and additional functionalities and adjust these criteria as appropriate in future versions of the ENERGY STAR[®] Program Requirements for Set-top Boxes.

Legacy Products

Finally, as we have commented on previously, the cable industry believes strongly that the ENERGY STAR[®] Program Requirements for Set-top Boxes should focus on establishing achievable voluntary criteria applicable to a percentage of new set-top boxes deployed after a reasonable date and should not place requirements on service providers or manufacturers for set-top boxes already deployed to customers. Efforts to make older “legacy” products more energy efficient may prove costly and time-consuming, resulting in very little, if any, energy savings. More importantly, such efforts could detract from those needed to bring new energy efficient products to market that meet the goals and objectives of the program. Nevertheless, we are not opposed to including language encouraging service providers and set-top manufacturers to investigate whether solutions may exist to help make deployed products more energy efficient, but those voluntary efforts should not be requirements placed on service providers or manufacturers in the ENERGY STAR[®] Program Requirements for Set-top Boxes.

³ The cable industry is required under FCC regulation to participate in the delivery of EAS messages to its customers.

⁴ See ENERGY STAR[®] Program Requirements for Digital-to-Analog Converter Boxes (DTAa)

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NCTA looks forward to working with the EPA and other stakeholders in developing the ENERGY STAR[®] Program Requirements for Set-top Boxes. We believe the comments and suggestions we have offered will help balance the goals and objectives for the program with an ever-increasing desire by cable customers for additional features and functions in set-top boxes, and establish reasonable criteria that will allow cable service providers and manufacturers to make improvements in product energy efficiency. Should you have any questions or seek additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andy", written in black ink.

Andy Scott
Vice President of Engineering

cc: Darcy Martinez, ICF International

Attachment