

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>Interference Immunity Performance Specifications for Radio Receivers</b>	)	<b>ET Docket No. 03-65</b>
	)	
<b>Review of the Commission’s Rules and Policies Affecting the Conversion to Digital Television</b>	)	<b>MM Docket No. 00-39</b>
	)	

**COMMENTS OF STARZ ENCORE GROUP LLC**

Starz Encore Group LLC (“SEG”) submits these Comments in response to the Commission’s Notice of Inquiry in the above-captioned proceedings, Interference Immunity Performance Specifications for Radio Receivers, FCC 03-54, released March 24, 2003 (“Notice”). The Notice seeks comment on a broad-ranging set of issues relating to incorporating receiver interference immunity performance specifications into spectrum policy. The Notice suggests that incorporating receiver performance standards could serve to promote more efficient utilization of the spectrum and create new opportunities for new and additional use of radio communications.

Starz Encore Group is one of the largest providers of satellite digital programming to U.S. multichannel video programming distributors (“MVPDs”), including cable, DBS, wireless cable, TVRO, and SMATV operators. SEG provides the following thirteen full time channels of commercial-free video programming services to MVPDs: STARZ!, Encore, STARZ! Theater, BLACK STARZ!, STARZ! Family, STARZ! Cinema, Westerns, Action, Love Stories, True Stories, Mystery, WAM!, and MOVIEplex. In

addition, SEG is one of the pioneers of subscription video on demand service, known as Starz On Demand, and has announced plans to launch four additional linear programming channels in late 2003, including STARZ! Kids, Sharper Movies HD, STARZ! HD, and STARZ! Hi Res. SEG also provides several additional time-shifted feeds of these channels. With the exception of WAM!, all of SEG's current channels share a primary focus on theatrically-released feature films. WAM!'s schedule consists of entertainment and informational series and films aimed at the target audience of 8 to 16 year olds.

SEG's interest in the present proceeding is on the issues regarding the development of receiver performance standards for broadcast DTV receivers, as presented in the Notice at pages 15-16. While SEG's MVPD affiliates do not deliver the SEG programming over-the-air through 8-VSB transmissions, SEG is disappointed by and concerned about the slow acceptance of over-the-air digital television service. SEG is motivated by a strong desire, in furtherance of the public interest, that television viewers have a robust digital television service and viewing platform, which will expedite the digital television transition, so that consumers with DTV receivers can benefit from improved picture quality and TV viewing experience, from all programming sources.

With these interests in mind, SEG offers the following comments in response to the broadcast DTV receiver issues posed in the Notice.

General Economic Issues. SEG does not support adoption by the Commission of additional requirements for 8-VSB interference rejection. Any additional requirements would raise the cost of all digital television receivers, thus further slowing the adoption of and transition to DTV. In practice, most U.S. television viewers watch television through

MVPDs such as cable or DBS. Forcing new receiver standards will only drive up the cost of DTV receivers for all viewers even though only a few receive DTV services over the air. These added consumer costs will further delay adoption of DTV.

Voluntary Standards and Labeling. Although the Commission should not set mandatory receiver interference rejection standards, SEG does not object to the adoption of voluntary receiver interference rejection standards and accurate labeling of compliant tuners. The Commission should allow standards setting organizations such as the ATSC to create voluntary interference rejection standards, as it is currently undertaking. At the same time, such organizations should be permitted to develop accurate and clear labeling standards for such improved tuners, again without the Commission mandating such requirements. Consumer purchases of DTV sets are already a complicated process with many new decision points, and clear and accurate information is essential to that process.

Upgradable Decoders. A more serious issue facing the DTV transition is that there will be a continuing need to upgrade DTV decoders through software enhancements rather than through replacement as digital television technology continues to advance. Presently, DTV decoders rely on MPEG-2, which is already an outdated and bandwidth inefficient compression technology. Current Commission rules for MPEG-2 compression limit DTV systems to 1990s technology and limit the opportunity for technological progress. Digital media require means to easily evolve as new algorithms and solutions are developed, without causing wholesale replacement of quickly outdated equipment. Indeed, one reason for consumer reluctance to purchase new DTV receivers is the sense

that such expensive equipment will be quickly outdated and that the next generation will be a better product.

The computer and broadband industries have addressed the concern over continual improvements rendering recently purchased equipment obsolete by developing multiple upgrades which are easily executed through software changes rather than replacement of hardware. Similarly, new DTV receivers should have the ability to easily switch the decoder technology through downloadable software changes to accommodate different types of programming. For example, such DTV receivers should allow incorporation of developing international standards, such as H.264, and other compression/decompression algorithms that are developed in the future. The failure to update DTV specifications to provide for software upgradable decoders will doom consumers to continually replace their tuner/decoders or integrated DTV television sets as new formats emerge. Digital media will change much faster than has the previous analog NTSC versions. Therefore the Commission should develop a more flexible DTV standard that can follow technology developments without the need for extended rulemaking proceedings.

Aspect Ratio. Another fundamental problem with the current DTV standards is the restriction of “high definition television” (“HDTV”) to 16:9 aspect ratio scanning formats. Historically, the vast majority of television content was created in 4:3 format. SEG submits that the Commission should take the present opportunity to let the marketplace decide the appropriate aspect ratio for HDTV. The Commission’s approach

on scanning formats was correct as far as it went, but such standards failed to provide for the most widely used 4:3 scanning option for advanced television scanning formats.

Conclusion. SEG submits that the Commission should allow voluntary efforts to improve DTV receiver performance and to label such improved receivers, but that the Commission should not mandate such higher standards or labeling. At the same time, the Commission should take this opportunity to require software upgradable codecs and to permit 4:3 scanning formats for HDTV.

Respectfully submitted,

STARZ ENCORE GROUP LLC

By: \_\_\_\_\_ /s/

John Beyler  
Senior Vice President Technology  
Operations

Richard H. Waysdorf,  
Vice President, Business Affairs-Affiliate  
Relations

Starz Encore Group LLC  
8900 Liberty Circle  
Englewood, CO 80112  
Telephone: (720) 852-7700

July 21, 2003