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Ms. Kathleen Vokes
U.S. Environmental Protection Agency
ENERGY STAR for Set-Top Boxes
1200 Pennsylvania Ave., N.W.
Washington, DC 20460

Re: ENERGY STAR Program Requirements for Set-Top Boxes

Dear Ms. Vokes:

AT&T Inc. is responding to the Environmental Protection Agency's ("EPA") revision of the Version 2.0 ENERGY STAR set-top box specifications in the development of Tier II program requirements and to issues raised on the EPA's December 3, 2009 conference call.

AT&T has worked diligently with its hardware and middleware partners to meet the EPA ENERGY STAR service provider Tier I requirements. We are proud to be one of the few service providers whose entire line of set-top boxes meets ENERGY STAR's Tier I requirements. AT&T achieved this status with the close cooperation of its hardware and middleware suppliers and the ENERGY STAR program advocates.

As we discuss below, AT&T is concerned that the current Tier II draft standards make insufficient allowance for increased device functionality and are set to take effect too quickly. In combination, these aspects of the proposal may make it difficult for AT&T to achieve compliance with the new standards, even with a continuation of the diligence that we and both our hardware and middleware partners have previously brought to this endeavor.

Allowances for Increased Functionality: Much of the improvement in next-generation set-top boxes will come from new and exciting functionality that providers are able to offer to their customers. It is important, therefore, that the Tier II standards not hamper innovation; rather, they should encourage providers to improve their energy efficiency while still offering consumers a better viewing experience.

AT&T shares the concerns of its hardware partners that certain new and revised adders for functionality are set too low to accommodate set-top box evolution. Take the example of the "whole house DVR." This allows a single set-top box to replace multiple DVRs, with a

substantial reduction in energy consumption, when measured on a household basis. However, the proposed Tier II target adder is set low enough that boxes with this significant improvement likely could not obtain ENERGY STAR certification, even incorporating the best technology available.

Additionally, it appears that, in some cases, new targets for existing functionality may be more aggressive than can reasonably be achieved with proven changes in the underlying technology. Rather, they appear to be based on across-the-board percentage reductions from Tier I standards. For these reasons, we would request that the allowances in the Tier II proposal be re-examined and adjusted to more reasonable levels.

Effective Date: EPA is aware that set-top boxes are evolving rapidly to provide the additional functionality that consumers demand. The market rewards those providers that can introduce new capabilities to consumers in a timely manner while, at the same time, optimizing and improving energy efficiency. In order to achieve this, hardware, middleware and service providers must all work together, quickly and efficiently, to deliver full functionality without compromising service quality or energy efficiency. More specifically, providers like AT&T must work to ensure that the set-top box's middleware from one vendor communicates effectively with the hardware of another vendor to maximize energy efficiency – both in an active and in a stand-by state. Extensive testing is necessary to ensure that the box's components interact properly and deliver the necessary customer experience and the required energy efficiency.

As it stands now, the implementation schedule for Tier II appears unlikely to allow the development and testing necessary to ensure that AT&T's new devices meet the twin requirements of the market and the ENERGY STAR program. Accordingly, we respectfully urge that the Tier II standards be set to take effect no earlier than a year from the date of their final adoption by the EPA, so as to permit sufficient integration and customer interface testing.

Given the multiplicity of parties involved in the development of next-generation set-top box functionality, AT&T proposes along with other interested parties, meet with the EPA to discuss both the content of the new ENERGY STAR Tier II requirements and the timeline for their implementation. We believe that meaningful energy efficiency progress can continue with modest and targeted adjustment to Tier II targets and extension of the effective date for Tier II standards. This collaboration between the industry and EPA will allow consumers to receive state of the art entertainment services while at the same time delivering energy efficient improvements.

