

To the Commissioners:

My name is Lon Seidman. I'm a consumer advocate who covers cord cutting and other consumer electronics as an independent journalist and commentator. I'd like to address two issues raised in your public notice: **DRM and tuner mandates**. I have thoroughly tested every ATSC 3.0-compatible device and can provide insight based on my experience throughout this rocky transition.

The bottom line is that the current DRM implementation is broken. It has narrowed consumer choice, inflated hardware costs, and stifled competition by forcing manufacturers into a costly and opaque certification process.

My Personal Experience

Before encryption, ATSC 3.0 was a game changer. For the first time, I was able to receive all the major networks over the air from my home, which is situated far from the broadcast towers. My HDHomeRun Flex 4K gateway—a certified “NextGen TV” device—delivered unencrypted channels to any screen in my home through a single antenna connection. My wife and I typically watch the local morning news on our laptops or tablets while getting the kids ready for school. We DVR other shows to watch later on any of our TVs, phones, tablets, or PCs.

Despite purchasing certified ATSC 3.0 equipment, I've been unable to access encrypted broadcasts because the A3SA restricts gateway usage. This isn't due to user error or a manufacturing defect—it's a deliberate limitation imposed by the DRM system, prioritizing broadcaster control over consumer utility. The only way I can now access encrypted channels is by purchasing additional tuning boxes—each costing over \$100—that only work with a single television and require a dedicated antenna connection. How is this progress?

DRM Has Restricted the Market

Gateway tuners like the HDHomeRun and Tablo currently outsell single-tuner devices by a factor of 10 to 1, according to Amazon data. These gateways work with existing consumer equipment, which could have accelerated adoption. Yet the current DRM scheme blocks these efficient and consumer-friendly solutions from accessing encrypted content, which will render them obsolete after the transition.

ATSC 3.0 tuner makers must first obtain “NextGen TV” certification from broadcasters, followed by additional DRM certification through the A3SA. This process is costly and introduces risk, deterring many innovators. As a result, the products that do reach the market are significantly more expensive and far less convenient. Here are some examples:

1. The certified ADTH USB tuner for Android costs \$17 more than a similar uncertified ATSC 3.0 USB tuner from GTMedia. Despite being certified, the ADTH device is incompatible with DRM content on most Android devices. Meanwhile, the GTMedia tuner offers better compatibility and adds DVR functionality—though it can't access encrypted content.

2. The best DRM-compatible ATSC 3.0 tuner on the market, the ZapperBox, costs \$75 more than a comparably equipped HDHomeRun gateway, yet only works with a single television. Additional ZapperBox client units—required for multi-TV households—cost \$129 each. Gateway functionality for non-ZapperBox devices has long been promised, but still hasn't materialized. In contrast, HDHomeRun and Tablo gateway devices work with any smart TV and even \$20 Roku, Fire TV, or Onn sticks—not to mention phones, tablets, and PCs that are explicitly excluded by A3SA restrictions.
3. Tablo, owned by broadcaster Scripps (a member of A3SA), currently sells a popular \$99 ATSC 1.0 gateway with broad device compatibility. They canceled preorders for their ATSC 3.0 version due to DRM-related limitations, despite their role in helping define these standards. The product remains unreleased.

Many existing devices in consumers' homes can already decode HEVC and AC-4 content via Wi-Fi from a gateway. But under DRM, every certified device must rely on dedicated coaxial connections to single-purpose tuners. That's the opposite of cord cutting.

DRM Has Slowed Adoption—Mandates Won't Save the Industry

Broadcasters claim their need for DRM is to protect content, just like streaming providers. But streaming platforms ensure compatibility across all major devices and ecosystems—Netflix even works on refrigerators.

In contrast, ATSC 3.0 DRM restricts viewing to pre-approved hardware tied to Google's Widevine DRM, which currently functions almost exclusively on Android. This excludes market leaders like Roku, Apple, and Microsoft. That's not content protection—it's market restriction.

Broadcasters now expect the government to mandate this outdated, closed model of television consumption. But that won't save the industry.

My advice to the FCC is simple: save the industry from itself by ending this DRM experiment.

Let's be real: broadcasters don't operate in a free market—they exist in a *polyopoly*. They are granted, free of charge, valuable broadcast spectrum that belongs to U.S. taxpayers. I can't simply enter this market—the government has already chosen who can use that spectrum. If I tried to start my own TV station, I'd be shut down and possibly jailed.

In return for the free spectrum, the public expects broadcasters to use the airwaves in the "public interest, convenience, and necessity." As shown by the thousands of comments on this docket, DRM fails the standard. It is not in the public interest, it is not convenient, and it is certainly not necessary.

Broadcasters already have the full legal support and firepower of the U.S. government to protect their signals—far more protections across more agencies than streaming providers enjoy. Just look at how broadcasters successfully shut down Locast and Aereo. And we all know DRM

doesn't stop piracy. Most convicted content pirates didn't steal over-the-air broadcasts—they copied content from DRM-protected cable and satellite services.

Meanwhile, the truly free market—consumer electronics manufacturers and software publishers—face heavy restrictions imposed by the broadcast polyopoly. Small innovators will be pushed out of business, and many others won't take the risk to enter the market at all. The ATSC 1.0 ecosystem was thriving and growing, only to have the door slammed shut by ATSC 3.0 DRM. It's not fair that broadcasters can unilaterally kill these innovative American businesses.

Consumers shouldn't be forced to buy more hardware, run coax and connect antennas to every screen, or accept reduced functionality just to preserve a business model based on retransmission fees. That model, built on anti-competitive practices, is unsustainable.

If broadcasters want a firm transition date and revised ownership rules, they should be granted—*on the condition that ATSC 3.0 signals remain accessible and unencrypted*, as they are today under ATSC 1.0. The airwaves belong to the public, and this transition should improve—not hinder—our access to them.

**Respectfully submitted,
Lon Seidman**