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Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

**Re: In the Matter of Leased Commercial Access; Modernization of Media
Regulation Initiative: MB Docket Nos. 07-42; No. 17-105**

Dear Ms. Dortch:

On March 5, 2019, Jordan Goldstein (Comcast Corporation), Maureen O'Connell (Charter Communications), Steve Horvitz (Davis Wright Tremaine, LLP), and I met with Joel Miller, Chief of Staff and Media Legal Advisor to Commissioner O'Rielly. We discussed NCTA's written submissions in the above-captioned proceeding.

We reiterated the view that the Commission should take steps to reduce the burdens imposed on cable operators by the existing leased access rules. We pointed out that the state of the video marketplace has changed dramatically since Congress adopted the leased access provisions, thereby raising significant legal, policy and practical issues.

We raised concerns with the complexity of the Commission's existing leased access rate formula, and we proposed that the FCC, at a minimum, modify and simplify the existing rate formula in cases where leased access channels are carried on the basic tier. We also explained that Section 612 of the Communications Act does not mandate that operators engage in leasing time on a program-by-program basis. Rather, part-time leased access is an FCC-created regulatory requirement that imposes outsized costs and unique burdens on the cable industry and should be eliminated.

Respectfully submitted,

/s/ **Diane B. Burstein**

Diane B. Burstein

cc: Joel Miller