



**The Internet & Television Association**  
25 Massachusetts Avenue, NW | Suite 100  
Washington, DC 20001  
(202) 222-2300

**Rick Chessen**  
Chief Legal Officer  
Senior Vice President, Legal & Regulatory Affairs  
o (202) 222-2445 e rchessen@ncta.com

April 20, 2018

**VIA ECFS**

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
455 12th Street SW  
Washington, DC 20554

Re: Notice of Ex Parte, *Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992*, MB Docket No: 05-311

Dear Ms. Dortch,

On April 18, 2018, Rick Chessen and Neal Goldberg of NCTA – The Internet & Television Association, Tara Corvo of Mintz Levin, on behalf of NCTA; David Don and Jordan Goldstein, on behalf of Comcast; Elizabeth Andrion and Christi Barnhart, on behalf of Charter; and Jenny Prime, on behalf of Cox met with Michelle Carey, Holly Saurer, Brendan Murray, Kathy Berthot and Martha Heller from the Media Bureau.

We discussed the remand issues arising out of the 6th Circuit Court Decision, *Montgomery County, Maryland v. FCC, et al.* We explained that the Commission has a clear legal basis for affirming the mixed use rule, and expressed our hope that the Commission will address this issue as soon as possible given ongoing efforts by local franchising authorities to subject non-cable services delivered over cable systems to duplicative regulations and fees. We also discussed the substantial non-cash contributions that local franchising authorities seek in the franchising process, and explained that such contributions qualify as franchise fees under the Communications Act.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Respectfully submitted,

**/s/ Rick Chessen**

Rick Chessen

cc: Michelle Carey  
Holly Saurer  
Kathy Berthot  
Brendan Murray  
Martha Heller