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VIA ECFS

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

**Re: Electronic Delivery of MVPD Communications; Modernization of Media
Regulation Initiative; MB Docket Nos. 17-317 & 17-105**

Dear Ms. Dortch,

On April 26, 2018, Jordan Goldstein of Comcast Corp., Maureen O’Connell of Charter Communications, and Diane Burstein, Stephanie (Podey) Kuhl, and I, of NCTA met with Michelle Carey, Sarah Whitesell, Martha Heller, and Lyle Elder of the Media Bureau.

Consistent with NCTA’s written comments in the above-captioned proceeding, we explained that modernizing delivery of all subscriber notices would benefit consumers, have positive environmental effects, and reduce unnecessary costs.

In particular, we asked the Commission to give operators the flexibility to use electronic means for mandatory notifications, provided those methods are reasonably calculated to reach customers. Such an approach would avoid the need to continually update the rule to keep up with evolving technology and consumer preferences. As NCTA’s written comments explain, the rules should “allow operators to provide required notices through e-mail or other electronic means to a verified customer e-mail address or verified phone number or via other electronic means reasonably accessible to the customer to communicate with the cable operator.”¹ Customers that wish to receive paper copies would have the option of continuing to do so.

We also discussed other ways to reduce the amount of paper that must be sent to

¹ NCTA Comments at 7. SMS texting and other forms of messaging to a verified phone number should be acceptable as electronic means that can be used to provide notice so long as they are reasonably calculated to reach customers. Of course, for all forms of electronic messaging, including e-mail and SMS texting, the operator’s communications would need to comply with all applicable laws and regulations, including, for example, the Telephone Consumer Protection Act of 1990 (“TCPA”).

customers. For example, the Commission should clarify that operators may direct customers to certain required information on their company websites by providing a website address in printed or electronic material.² We explained that this would ensure that customers can easily access relevant up-to-date information and would significantly streamline the burden and cost of compliance.

In addition, we discussed various proposals from MVPDs to streamline the process for broadcasters' must carry/retransmission consent election notices. In particular, we focused on NCTA's proposal that cable operators provide a single email address that would serve as a single point of contact for all cable systems served by that operator.³ We affirmed that broadcasters would only be required to file one election notice per MVPD. By contrast, we explained that the approach advocated by some broadcasters, to place each station's election in its public file, would be hugely burdensome and unworkable. Operators would need to sift (and re-sift) through hundreds of public files to determine their must carry/retransmission consent obligations. Such an approach would represent a massive increase in the burden on operators, the exact opposite of the purpose of this proceeding.⁴

Respectfully submitted,

/s/ Rick Chessen

Rick Chessen

cc: Michelle Carey
Sarah Whitesell
Martha Heller
Lyle Elder

² Operators would also include in such communications that customers could call to receive a paper copy of the linked material if that is the consumer's preference.

³ See NCTA Comments at 13-14.

⁴ See NCTA Reply Comments at 4-5.