

# Gray Miller Persh LLP

Attorneys-at-Law  
2233 Wisconsin Ave, Suite 226  
Washington, DC 20036  
[www.graymillerpersh.com](http://www.graymillerpersh.com)

Margaret L. Miller  
Partner  
mmiller@graymillerpersh.com  
202-776-2914

May 30, 2019

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: Notice of Ex Parte Communication, MB Docket Nos. 17-317 and 17-105

Dear Ms. Dortch:

On May 28, 2019, Lonna Thompson, Senior VP and General Counsel of America's Public Television Stations (APTS), and the undersigned counsel for APTS, PBS and CPB, met with Martha Heller, Michelle Carey, Sarah Whitesell, and Varsha Mangal of the Federal Communications Commission to discuss public television's positions on modernizing MVPD carriage communications in the above-referenced proceedings.

During the meeting, APTS and PBS reiterated their request to eliminate the obligation for qualified noncommercial educational TV stations (as defined in Section 338 of the Communications Act) to re-file satellite carriage requests every three years, given that noncommercial stations cannot "elect" retransmission consent and can only request mandatory carriage. APTS and PBS requested that the MVPD rule modernization conform the satellite carriage rules for noncommercial stations (which require re-filing satellite carriage requests by certified mail every three years) to the cable carriage rules for noncommercial stations (which do not require any re-filing of cable carriage requests), as set forth in the prior Comments, Reply Comments and Ex Parte filings by APTS, PBS and CPB in the above-referenced proceeding.

To the extent that the joint NAB/NCTA proposal in this proceeding is applied to qualified noncommercial educational TV stations, such noncommercial stations would notify MVPDs (cable and DBS) only if the noncommercial station sought (i) to retract its current mandatory carriage request, or (ii) a new or revised mandatory carriage request due to a change in circumstances. All prior carriage requests to MVPDs by qualified noncommercial educational TV stations would remain in effect.

Respectfully submitted,



Margaret L. Miller