July 24, 2017

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

Re: GN Docket No. 17-183

Dear Ms. Dortch:

The undersigned Content Companies met separately on July 20, 2017 with Rachael Bender of Chairman Pai’s office; Erin McGrath of Commissioner O’Rielly’s office; and Daudeline Meme and Alisa Valentin of Commissioner Clyburn’s office, in each case to discuss the above-referenced proceeding.¹ The Content Companies stressed that, while they are not licensees of C Band spectrum, any Commission decision to open up the spectrum band to additional uses as contemplated by the NOI could have a significantly harmful impact on the companies’ ability to provide consumers with compelling news, sports and entertainment programming across the country.

To be clear, the Content Companies do not oppose a Commission evaluation of mid-band spectrum policy as part of an effort to identify flexible uses that could lead to innovative new offerings. The Content Companies stressed, however, that any such evaluation must take place in the context of important existing uses of mid-band spectrum. The Content Companies urged the Commission to remain cognizant throughout this review of the impact that new offerings could have on existing businesses and services enjoyed today by tens of millions of Americans. Accordingly, the companies asked that the Commission signal clearly in the NOI that any party proposing new services bears the burden of demonstrating (1) how those services would work technically and (2) that those services would not result in harmful interference to existing users, including programmers who have invested hundreds of millions of dollars to create the most compelling television content the world has ever known. The Content Companies also noted that the impact of any interference is likely to be felt disproportionately by consumers in rural and other underserved areas – where terrestrial distribution alternatives are scant and where those same Americans already lack ready access to broadband.

In addition, the Content Companies reiterated points previously made to the Commission, explaining that they rely upon C Band satellite spectrum to ensure that content reaches all of the head-ends of multichannel video programming distributors (MVPDs) and all of the broadcast stations affiliated with our broadcast networks. Each broadcast network uses C Band to reach more than 200 local station affiliates and both broadcast and cable networks use this band to deliver their programming to nearly 5,000 MVPD head-ends – across a portfolio of hundreds of programming services supplying millions of hours of content in the aggregate. Increasingly, the

¹ See In re Expanding Flexible Use in Mid-Band Spectrum Between 3.7 and 24 GHz, Notice of Inquiry, GN Docket No. 17-183 (circulated for consideration July 13, 2017) (the “NOI”).
Content Companies rely upon this same spectrum to distribute content to innovative over-the-top distributors as well. And we also depend upon this spectrum to telecast live programming from the field, whether breaking news or popular sports events. It is the C Band spectrum that enables our companies to backhaul this live programming from remote sites to our operations centers before the content is distributed to consumers. All of this happens today with near-perfect reliability, some of which is coordinated with very short notice, thanks to C Band.

In short, to ensure that critical news and informational programming and groundbreaking sports and entertainment content reaches MVPDs, broadcast stations, OTT distributors and, ultimately, consumers without interruption, the Content Companies urged the Commission to avoid taking any action relating to mid-band spectrum that would result in harmful interference to C Band spectrum.

Respectfully submitted,

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