

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.<sup>1</sup> 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

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<sup>1</sup> 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").

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.

THE WALT DISNEY COMPANY

CBS CORPORATION

SCRIPPS NETWORKS INTERACTIVE,  
INC.

By: \_\_\_\_\_  
Kimberly Hulse  
Vice President, Legal and Government  
Affairs  
5425 Wisconsin Avenue, 5th Floor  
Chevy Chase, Maryland 20815  
(301) 244-7609

21<sup>st</sup> CENTURY FOX, INC.

By:       /s/      

Jared S. Sher

Senior Vice President & Associate General  
Counsel

400 N. Capitol Street, N.W., Suite 890

Washington, D.C. 20001

(202) 824-6500

UNIVISION COMMUNICATIONS INC.

By:       /s/      

Victoria Jeffries

Vice President & Assistant General Counsel, Public Policy

101 Constitution Avenue

Suite 350E

Washington, DC 20001

(202) 589-2552

VIACOM INC.

By:       /s/      

Keith R. Murphy

Senior Vice President, Government  
Relations and Regulatory Counsel

1275 Pennsylvania Ave. NW, Suite 710

Washington, D.C. 20004

(202) 785-7300