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EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in MD Docket No. 17-134, *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network L.L.C. ("DISH") submits this letter summarizing the following meetings:

- A telephone call on August 18, 2017 with David Grossman, Chief of Staff and Media Policy Advisor to Commissioner Clyburn. Present on behalf of DISH was Hadass Kogan, Corporate Counsel.
- A telephone call on August 21, 2017 with Holly Saurer, Acting Legal Advisor to Commissioner Rosenworcel. Present on behalf of DISH were Alison Minea, Director and Senior Counsel and Hadass Kogan, Corporate Counsel.
- A telephone call on August 21, 2017 with Nirali Patel, Acting Legal Advisor for Media, Consumer Protection, and Enforcement for Commissioner Carr. Present on behalf of DISH were Alison Minea, Director and Senior Counsel and Hadass Kogan, Corporate Counsel.

During the meetings, DISH discussed the Commission's proposal to increase the annual per-subscriber regulatory fee for Direct Broadcast Satellite ("DBS") providers, consistent with its comments in the above-captioned proceeding.¹ The parties explained that the 38 percent fee proposed for FY 2017 – which represents a 217 percent increase since 2015 – only serves to harm consumers who will ultimately be forced to shoulder the burden of these increased fees. Indeed, in proposing these consumer-borne fees, the Commission has failed, among other things, to explain how regulatory developments in the last year justify a dramatic rate increase for the third consecutive year. The Commission's statement that such a rate increase "would result in

¹ See Comments of DISH Network L.L.C. and AT&T Services, Inc., MD Docket No. 17-134 (Jun. 22, 2017) ("*DISH/AT&T 2017 Comments*").

bringing the DBS industry regulatory fees closer to those for cable television/IPTV”² runs counter to the Commission’s acknowledgement that “DBS is not identical to cable television”³ and evidence in the record that *two* DBS operators have never generated, and do not generate now, anything approaching the regulatory costs that hundreds of cable operators do.⁴

Respectfully submitted,

/s/ Alison A. Minea

Alison A. Minea

cc: David Grossman
Holly Saurer
Nirali Patel

² See Assessment and Collection of Regulatory Fees for Fiscal Year 2017, *Notice of Proposed Rulemaking*, MD Docket No. 17-134, FCC 17-62, ¶17 (rel. May 23, 2017).

³ Assessment and Collection of Regulatory Fees for Fiscal Year 2015, *Notice of Proposed Rulemaking, Report and Order, and Order*, MD Docket Nos. 15-121 and 14-92, FCC 15-59, ¶ 33 (2015).

⁴ See *DISH/AT&T 2017 Comments* at 7; Reply Comments of DISH Network L.L.C., MD Docket No. 16-166 (Jul. 5, 2016); Comments of DISH Network L.L.C., MD Docket Nos. 14-92 and 15-121, pp. 3-6 (Jun. 22, 2015); Further Comments of DIRECTV, LLC and DISH Network L.L.C., MD Docket Nos. 14-92, 13-140, and 12-201, pp. 10-15 (Nov. 26, 2014); Further Reply Comments of DIRECTV, LLC and DISH Network L.L.C., MD Docket Nos. 14-92, 13-140, and 12-201, pp. 4-9 (Dec. 26, 2014).