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August 30, 2017

**Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

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

Dear Ms. Dortch:

On Aug. 29, 2017, Ross J. Lieberman, Senior Vice President of Government Affairs, American Cable Association (“ACA”), and the undersigned, representing ACA, met, respectively, with Nirali Patel, Acting Legal Advisor for Media, Consumer Protection, and Enforcement to Commissioner Carr; Holly Sauer, Acting Advisor to Commissioner Rosenworcel; and, via teleconference, with Nicholas Degani, Senior Counsel to Chairman Pai, to discuss ACA’s position in the above-referenced proceeding.<sup>1</sup> On Aug. 30, 2017, ACA representatives met via teleconference with Claude Aiken, Legal Advisor, Wireline, to Commissioner Clyburn, to discuss the same matters.

During the meetings, ACA urged the Commission to bring DBS providers to full parity with cable television and IPTV providers in Fiscal Year (“FY”) 2017 with respect to payment of per-subscriber regulatory fees to support Media Bureau oversight and regulation of multichannel video programming distributors (“MVPDs”) and to increase its *de minimis* payment threshold from \$500 to \$2,000 (or at least \$1,000) to ease the regulatory fee burden on the Commission’s smallest fee payors.<sup>2</sup>

Should the Commission determine that it is unable to bring DBS per-subscriber regulatory fee payments into full parity with those of cable television and IPTV providers in FY 2017, ACA requested that the Commission make inarguably clear in its Order that “it continues to remain committed to the goal of regulatory fee parity for all MVPDs with regard to payment of per-subscriber regulatory fees,”<sup>3</sup> that “although DBS and cable television/IPTV oversight and regulatory work of Media Bureau full-time equivalent employees is not identical, the Commission deems it equivalent so that the per-subscriber regulatory fees paid by these MVPDs should be equivalent” and that it is “today making an incremental step toward equivalency by increasing the annual per-subscriber DBS fee assessment to 38 cents for FY 2017.”

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<sup>1</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, Notice of Proposed Rulemaking, 32 FCC Rcd 4526 (2017).

<sup>2</sup> See *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, MD Docket No. 17-134, Comments of the American Cable Association (filed June 22, 2017); *Assessment and Collection of Regulatory Fees for Fiscal Year 2017*, MD Docket No. 17-134, Reply Comments of the American Cable Association (filed Jul. 7, 2017).

<sup>3</sup> *Assessment and Collection of Regulatory Fees for Fiscal Year 2016*, Report and Order, 31 FCC Rcd 10339, ¶ 30 (2016).

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Sincerely,



Barbara Esbin

cc: Nirali Patel  
Holly Sauer  
Nicholas Degani  
Claude Aiken