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September 10, 2018

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
455 12th Street SW
Washington, DC 20554

Re: Notice of Ex Parte, Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket No: 05-311; Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment, WC Docket No. 17-84.

Dear Ms. Dortch,

On September 6, 2018, Rick Chessen and Steve Morris of NCTA – The Internet & Television Association; Paul Glist of Davis Wright Tremaine and Tara Corvo of Mintz Levin, on behalf of NCTA; David Don and Jordan Goldstein of Comcast; Christi Barnhart of Charter; and Jenny Prime of Cox met with Kathy Berthot, Michelle Carey, Martha Heller, Raelynn Remy and Holly Saurer of the Media Bureau; Matthew Collins, Adam Copeland, Daniel Kahn, Ramesh Nagarajan, Deborah Salons, John Visclosky, Lisa Hone (by phone) and Melissa Kirkel (by phone) of the Wireline Competition Bureau.

Consistent with prior submissions by NCTA,¹ we requested that the Commission take action in this proceeding to prevent state and local governments from imposing duplicative regulations and fees and other regulatory obstacles that have the effect of hindering the deployment of new facilities and services by cable operators; to address ongoing efforts by local franchising authorities to subject non-cable services delivered over cable systems to duplicative regulations and fees; and to reduce barriers to infrastructure investment and deployment.

¹ See Letter from Rick Chessen, NCTA, to Marlene H. Dortch, Secretary, Federal Communications Commission, WC Docket No. 17-84 (June 11, 2018); Letter from Rick Chessen, NCTA, to Marlene H. Dortch, Secretary, Federal Communications Commission, MB Docket No. 05-311 (May 3, 2018).

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We explained that the Commission has a clear legal basis to affirm the mixed use rule at issue in *Montgomery County, Maryland v. FCC, et al.* and encouraged the Commission to issue clear guidance on these issues to ensure that cable franchise fees continue to provide appropriate revenues to franchising authorities for use of the public rights of way, consistent with the statutory parameters in the Cable Act, and to fulfill Congressional and Commission priorities to advance the deployment of broadband and other innovative services over cable for the public benefit.

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

Respectfully submitted,

/s/ Rick Chessen

Rick Chessen

cc (via email): Kathy Berthot
Michelle Carey
Martha Heller
Raelynn Remy
Holly Saurer
Matthew Collins
Adam Copeland
Daniel Kahn
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