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Ex Parte

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

**Re: In the Matter of Leased Commercial Access; Modernization of Media
Regulation Initiative: MB Docket Nos. 07-42; No. 17-105**

Dear Ms. Dortch:

On December 7, 2018, I spoke by telephone with Diana Sokolow of the FCC's Media Bureau to respond to questions from the Bureau regarding part-time leased access usage.

I explained that our understanding is that most leased access usage occurs on a part-time basis. One multiple system operator ("MSO") explained that all its leased access use was part-time. Other MSOs estimated that roughly two-thirds to three-quarters of leased access use on their systems is on a part-time basis.

The typical amount of time requested for leasing varies. Generally, the amount of time leased by any individual entity is around 30 minutes to a few hours weekly. It can occasionally range as high as half a programming day, 7 days a week.

As NCTA's Comments in this proceeding explained,¹ the Communications Act does not mandate that cable operators engage in leasing time on a program-by-program basis. Rather, part-time leasing is a decades-old FCC requirement that imposes unreimbursed costs and unique administrative burdens on the cable industry.

¹ Comments of NCTA—The Internet & Television Association, MB Docket Nos. 07-42; No. 17-105 at 22 – 25 (filed July 30, 2018).

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As our Comments demonstrate and as this additional information suggests, the Commission should revise its part-time leasing rules to reduce these significant and unjustifiable burdens on cable operators.

Respectfully Submitted,

/s/ Diane B. Burstein

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cc: Diana Sokolow