

EX PARTE OR LATE FILED

May 2, 1996

DOCKET FILE COPY ORIGINAL
RECEIVED

EX PARTE

MAY 2 1996

William Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Dear Mr. Caton:

Re: CS Docket 96-46, Implementation of Section 302 of the Telecommunications Act
of 1996, Open Video Systems (OVS)

On April 25, 1996 I met with Robert Pepper, Jonathon Ogur, and Greg Rosston at the Office of Plans and Policy. The purpose of the meeting, which I was invited to attend by Commission staff, was to discuss my affidavit prepared at the request of the Joint Parties¹ and filed to the above captioned proceeding.

My affidavit advocates that the Commission not front-load OVS rules, as was done in the case of video dialtone regulation, in an attempt to resolve the array of hypothetical issues which may be imagined *ex ante*. Instead, I believe that market competition should be encouraged via streamlined regulation which relies on the complaint process to adjudicate actual problems of programmer access as they may arise in OVS markets.

I would have filed this *ex parte* meeting notice prior to today but was called out of town on a family emergency. Pursuant to section 1.1206(s)(2) of the Commission's *ex parte* rules, I am filing an original and one copy of this notice for inclusion in the public record.

Sincerely,



Thomas W. Hazlett

¹ The Joint Parties consist of Bell Atlantic Telephone Companies and Bell Atlantic Video Services; BellSouth Corporation and BellSouth Telecommunications; GTE Service Corporation and its affiliated domestic telephone operating companies and GTE Media Ventures, Inc.; Lincoln Telephone and Telegraph Company; Pacific Bell; SBC Communications, Inc. and Southwestern Bell Telephone Company.

No. of Copies rec'd
List ABCDE

001