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LEWIS H. PADDOCK (1866-1936)  
FERRIS D. STONE (1882-1946)

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November 6, 1996

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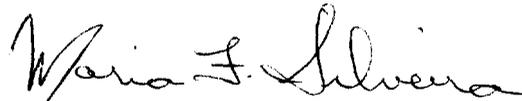
Federal Communications Commission  
Office of Secretary

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Dear Mr. Caton:

Pursuant to 47 C.F.R. §1.206(a)(1), we submit this notice of ex parte communication with the FCC Cable Services Bureau. Rodney McDonald of the Bureau contacted our office on November 4th requesting information regarding commercial leased access rates. I enclose a copy of the information we provided to Mr. McDonald today.

Respectfully submitted,



Maria de Fatima Silveira

encl.

cc: Rodney McDonald - Cable Services Bureau

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MEMORANDUM

TO: Rodney McDonald  
Attorney Advisor  
FCC Cable Services Bureau

FROM: MCP&S

RE: Information requested about Per Sub Lease Access Rates  
For United Broadcasting Corp. d/b/a TELEMAMI

DATE: November 6, 1996

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As you requested in our telephone conversation on November 4th, we are supplying, on behalf of our client, United Broadcasting Corp. d/b/a TELEMAMI, information on the per subscriber/month leased access rates that TELEMAMI has encountered in its recent past and present dealings with cable operators in the Miami area. TELEMAMI has been a local Hispanic cable leased access programmer since 1988.

TELEMAMI COVERAGE AREA

**Number of Systems:** 4 - Adelphia Cable, Gold Coast  
Cablevision, Miami TCI,  
TCI South Dade

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**Approx. Number of Subscribers:** TOTAL (early) 1994: over 230,000

TOTAL (late) 1996: over 275,000

**Per Sub/month Rate:** All rates are for full-time use of one channel on the expanded basic tier.

- Gold Coast Cablevision: 1994 = approx. 65,000 subs  
1996 = approx. 75,000 subs

UBC paid \$0 for carriage by contract prior to 1993 release of FCC's leased access rules;

Rate quoted in 1994 (after release of FCC rules):  
 $\$20,000/\text{month} \div 65,000 \text{ subs} = .31$

Rate by FCC Order<sup>1</sup>:  $\$5,300/\text{month} \div 65,000 \text{ subs} = .08$

- TCI South Dade: 1994 = approx. 55,000 subs  
1996 = approx. 65,000 subs

UBC paid \$3,500/month for carriage by contract prior to 1993 release of FCC's leased access rules;

Rate quoted in 1994 (after release of FCC Rules):  
 $\$26,341/\text{month} \div 55,000 \text{ subs} = .48$

Rate by FCC Order<sup>2</sup>:  $\$3,500/\text{month} \div 55,000 \text{ subs} = .06$

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<sup>1</sup> In the Matter of: United Broadcasting Corp. d/b/a Telemiami v. Rifkin/Narragansett South Florida CATV Limited partnership, d/b/a Gold Coast Cablevision, No. CSR-4261-L, Order released on June 30, 1994.

<sup>2</sup> In the Matter of: United Broadcasting Corporation d/b/a Telemiami v. TCI TKR of South Dade, Inc., No. CSC-366, Order released on June 13, 1994.

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- Miami TCI:                    1994 = approx. 50,000 subs  
   1996 = approx. 60,000 subs

UBC paid \$3,500/month, then \$5,000/month for carriage by contract prior to 1993 release of FCC's leased access rules;

Rate quoted in 1994 (after release of FCC Rules):  
\$21,403/month ÷ 50,000 subs = .43

Current Rate by contract: \$5,000/month ÷ 50,000 subs = .10

- Adelphia:                    1994 = approx. 60,000 subs  
   1996 = approx. 75,000 subs

UBC pays \$0 per month by contract that is still in force. [Adelphia has option to use a percentage of ad avails which Adelphia has not exercised]

TOTAL Cost per month per sub (excluding Adelphia subs in both calculations):

If no FCC Orders existed:                    .40  
Under FCC Orders & Contract:                .08

Dynamic Cable/Continental:            Approx. 60,000 subs

**NOTE:** TELEMIAMI is not on this system because of the extremely high rate quoted by the system operator.

Pre-Lease Access Rules: would not let UBC on system even though the system's coverage area is over 85% Hispanic and

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the system carries only approx.  
8% spanish-language programming.

Rates Quoted After Lease Access Rules:

1994 = \$36,141/month (.60/sub)

1995 = \$52,122/month (.87/sub)

1996 = \$45,000 (.75/sub)

Percentage of TELEMAMI's Local Programming v. TELEMAMI's National  
/International Programming:

35% Local

65% National/International

Feel free to call Tim Lay or Maria Silveira at (202) 785-0600  
if you have any questions or need any further information.