KATHLEEN WALLMAN
WALLMAN CONSULTING, LLC
THE BEAUXCREST BUILDING
9332 RAMEY LANE
GREAT FALLS, VA 22066

October 28, 2014

VIA ELECTRONIC FILING

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: ***Applications of Comcast Corp., Time Warner Cable Inc., Charter Communications, Inc., and SpinCo for Consent to Assign or Transfer Control of License and Authorizations,*** **MB Docket No. 14-57**

Dear Ms. Dortch:

On October 24, 2014 Lynne Costantini of TheBlaze Inc. ("TheBlaze"), John Simpson of Simpson Public Affairs LLC, and the undersigned of Wallman Consulting LLC, met with the following Commission staff regarding the above-referenced proceeding ("Proposed Transaction"): Hillary Burchuk, Office of General Counsel; William Lake, Media Bureau; Eric Ralph, Wireline Competition Bureau; Allen Barna, Wireless Telecommunications Bureau; Alec MacDonell, Wireline Competition Bureau; Joel Rabinovitz, Office of General Counsel; Devraj Kori, Wireline Competition Bureau; Jeffrey Neumann, Media Bureau; Jonathan Levy, Office of Strategic Planning and Policy Analysis; Marcia Glauberman, Media Bureau; Bakari Middleton, Wireline Competition Bureau; Jake Riehm, Media Bureau; Adam Copeland, Media Bureau; Johanna Thomas, Media Bureau; Bill Dever, Wireline Competition Bureau; Hillary DeNigro, Media Bureau; Virginia Metallo, Office of General Counsel; Ty Bream, Media Bureau; Julie Saulnier, Media Bureau; Matt Warner, Wireline Competition Bureau (telephonically), Paula Cech, Wireline Competition Bureau (telephonically); Sean Yun, Media Bureau (telephonically) and William Rogerson, senior economist (telephonically).

Ms. Costantini (i) reviewed TheBlaze's concerns with respect to the Proposed Transaction identified in its August 25, 2014 comments in the record including discrimination against non-affiliated independent programmers and programmers that distribute content online for a fee in carriage decisions, and distortions in the video distribution marketplace created by the operation of most favored nations clauses

("MFNs") and alternative distribution method clauses ("ADMs"); and (ii) discussed a private arbitration path for independent programmers as a potential merger condition.

Ms. Costantini noted that TheBlaze is unique among emerging video networks because it is the first television channel to mature online from a dedicated base of paying subscribers. TheBlazeTV.com serves as proof of concept and demonstrates that there is a built-in engaged audience for TheBlaze content. However, the largest MVPDs, including the Applicants, have cited the availability of TheBlazeTV.com as an obstacle or adverse factor to gaining MVPD carriage and two of the applicants (Time Warner Cable and Charter Communications) have gone so far as to suggest TheBlaze discontinue TheBlazeTV.com nationwide in order to be considered for carriage. In response to questions from Commission staff, TheBlaze noted that none of the more than 80 other MVPDs that carry TheBlaze, including Cablevision, Suddenlink and Dish Network have requested limitations or restrictions on continued distribution of TheBlazeTV.com as a condition to carriage. TheBlaze also highlighted its numerous attempts to allay the objections of the applicants through differentiation of its OTT and MVPD feeds to no avail. In response to questions from Commission attendees, TheBlaze discussed its business models for TheBlazeTV.com and TheBlaze as well as the broadband speeds required to deliver high definition video streams to consumers via TheBlazeTV.com.

TheBlaze also reviewed Comcast's disparate treatment of independent networks as compared to networks owned by Comcast, noting that carriage standards differ, the prevailing Comcast-NBCU Consent Decree definition of "independent" does not adequately account for current market conditions and that the previous Consent Decree's "independent network" set aside has been inadequate to correct discriminatory behavior. In response to questions from Commission staff, TheBlaze also discussed why it believes political bias has been a factor in gaining distribution on Comcast.

TheBlaze further explained that the Commission's existing program carriage regime has been unsuccessful in eliminating discrimination from vertically integrated MVPDs. In response to questions asked by Commission staff, TheBlaze offered its suggestions about how the basic framework of an arbitration condition could be structured as a means to address carriage discrimination claims by unaffiliated independent networks. TheBlaze noted that arbitration would compel the Applicants to be transparent and even-handed in making programming decisions; and, with limited discovery, arbitration would showcase the less favorable treatment of independent networks compared to Comcast affiliated networks with respect to the ease with which they are permitted to rebrand, expectations with respect to program ratings, breadth and scope of MFNs and ADMs, and demands that Comcast must "make money" on the distribution of independent content.

Finally, TheBlaze noted the anticompetitive effects of MFNs and the extent to which these provisions operate to circumvent Comcast's obligations under the Comcast NBC Universal consent decree and would do so under any future merger consent decree. Further, TheBlaze explained that MFNs restrict the ability of independent programmers to offer unique distribution arrangements and to compete in a free market, by allowing large MVPDs, including the Applicants, to pick and choose any number of better terms and conditions from competing MVPDs' contacts that are most favorable to them, without regard to the concessions that were made to secure those terms and without having to deliver commensurate value to the programmer.

Respectfully submitted,

/s/ Kathleen Wallman

Kathleen Wallman
Advisor to TheBlaze
202-641-5387

Cc: All attendees and parties specified in the Public Notice in this matter