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Ex Parte

April 20, 2015

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

**Re: Amendment to the Commission’s Rules Concerning Effective Competition:
Implementation of Section 111 of the STELA Reauthorization Act; MB Docket
No. 15-53**

Dear Ms. Dortch:

On April 16, 2015, Rick Chessen, Senior Vice President, Law & Regulatory Policy, Stephanie L. Poday, Vice President and Associate General Counsel, and I, spoke by phone with the following Media Bureau staff: Steven Broeckert, Michelle Carey, Mary Beth Murphy, Nancy Murphy, and Diana Sokolow. On April 17, 2015, we spoke by phone with Maria Kirby, Legal Advisor to the Chairman. During both conversations, we discussed our comments in the above-captioned proceeding.

NCTA representatives explained that, in light of competitive conditions today, it is clear that the Commission can and should take action in this proceeding to shift the rule’s presumption that cable operators do not face effective competition and instead establish a presumption that cable operators nationwide face “effective competition” as defined in the Act.¹ As the *Notice* in this proceeding suggests, marketplace changes over the past two decades have “completely undercut” the basis for the existing presumption.² We also explained that the shifting the presumption is the best way to satisfy Congress’ directive in the STELA Reauthorization Act of 2014 (“STELAR”) to “establish a streamlined process for filing of an effective competition petition pursuant to this section for small cable operators.”³

¹ See NCTA Comments at 6.

² NCTA Comments at 6 (citing *Notice* ¶ 8).

³ See NCTA Comments at 7-8.

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Respectfully submitted,

/s/ Diane B. Burstein

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cc: S. Broeckaert
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