

May 27, 2015

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

Re: Written Ex Parte Communication, MB Docket No. 98-120

Dear Ms. Dortch:

On May 14, the undersigned provided an ex parte letter in the above proceeding stating that neither the American Cable Association nor the National Association Broadcasters would object to a Commission order that does the following:

- (1) HD Carriage Exemption Eligibility after June 12, 2015: A small cable system not offering any programming in HD is exempt from the HD carriage requirement. Beginning December 12, 2016, a system utilizing the HD carriage exemption shall no longer be eligible to use it once the system offers any programming in HD.
- (2) Notice: Beginning December 12, 2016, at the time a small cable system utilizing the HD carriage exemption offers any programming in HD, the system must give notice that it is offering HD programming to all broadcast stations in its market that are carried on its system.
- (3) Transition for Some Systems: A cable system utilizing the HD carriage exemption on June 12, 2015 that does not qualify for the HD carriage exemption on June 13, 2015 must come into compliance by December 12, 2016.
- (4) Revisions to Definition of "Small" Cable System: "Small" cable systems eligible for the HD carriage exemption would be redefined as those: (i) serving 1,500 (rather than 2,500) or fewer subscribers, and not affiliated with a cable operator serving more than 2 percent (rather than 10 percent) of all MVPD subscribers, or (ii) having an activated channel capacity of 552 MHz or less.

The undersigned wish to clarify two points that raise no objections for their respective associations. First, a system that becomes ineligible for the HD carriage exemption after December 12, 2016 would be expected come into compliance promptly. Second, with respect to the "Transition for Some Systems," a cable system utilizing the HD carriage exemption on June 12, 2015 that does not qualify for the HD carriage exemption on *or after* June 13, 2015 must come in compliance by December 12, 2016.

Please direct any inquiries regarding this matter to the undersigned.

Respectfully submitted,

/s/

Ross Lieberman
Senior Vice President of Government Affairs
American Cable Association

/s/

Erin L. Dozier
Senior Vice President and Deputy General
Counsel
National Association of Broadcasters

cc: Michelle Carey, Mary Beth Murphy, Raelynn Remy