



**CINNAMON
MUELLER**

BARBARA S. ESBIN
Admitted in the District of Columbia
besbin@CinnamonMueller.com

WASHINGTON, DC
1875 Eye Street, NW
Suite 700
Washington, D.C. 20006

direct: 202-872-6811
fax: 202-683-6791

ST. LOUIS
1714 Deer Tracks Trail
Suite 215
St. Louis, MO 63131

CHICAGO
307 N. Michigan Ave
Suite 1020
Chicago, IL 60601

phone: 312-372-3930

July 14, 2015

Via ECFS

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

Re: Ex Parte Submission: Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership for Consent to the Transfer of Control of Licenses and Authorizations; MB Docket No. 15-149

Dear Ms. Dortch:

Please include in the above-captioned docket the attached ex parte letter, originally filed yesterday as a submission for the record, that summarizes matters discussed by the American Cable Association (“ACA”) during a meeting via teleconference on July 8, 2015 with Jonathan Sallet, General Counsel and Jennifer Tatel, Associate General Counsel.

ACA attempted to file this letter electronically as a “Notice of Ex Parte,” as permitted under the Public Notice establishing this license transfer proceeding as permit-but-disclose upon the filing of the above-referenced Applications yesterday evening, but the Commission’s Electronic Comment Filing System (“ECFS”) would not accept it as a Notice of Ex Parte.¹ To satisfy its filing obligations, ACA instead successfully filed the letter as a “Submission for the Record,” and alerted Commission staff to the problem with the ECFS filing system. Upon notification that the ECFS problem had been resolved, ACA is re-filing the letter today as a Notice of Ex Parte to ensure a complete and accurate record.

This letter is being filed electronically pursuant to section 1.1206 of the Commission’s rules.

Sincerely,

Barbara Esbin

cc: Jonathan Sallet
Jennifer Tatel
Owen Kendler
Elizabeth McIntyre

Enclosures (1)

¹ *Commission Opens Docket for Proposed Transfer of Control of Time Warner Cable, Inc. and Charter Communications Inc.*, Public Notice, MB Docket No. 15-149 (rel. Jun. 23, 2015) (“We announce that as of the time any Applications are filed, this proceeding will be governed by permit-but disclose ex parte procedures that are applicable to non-restricted proceedings under section 1.1206 of the Commission’s rules”).



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St. Louis, MO 63131

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Chicago, IL 60601

phone: 312-372-3930

July 13, 2015

Via ECFS

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

Re: Ex Parte Submission: Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership for Consent to the Transfer of Control of Licenses and Authorizations; MB Docket No. 15-149

Dear Ms. Dortch:

On July 8, 2015, Ross J. Lieberman, Senior Vice President of Government Affairs, American Cable Association (“ACA”) and the undersigned, counsel to ACA, met via teleconference with Jennifer Tatel, Associate General Counsel, to discuss data and information that ACA believes should be requested of the applicants in the above-reference proceeding.¹ During the meeting, ACA observed that the Commission’s review of the vertical effects of the proposed sets of transfer of control of Time Warner Cable, Inc. (“TWC”) and Charter Communications Inc. (“Charter”), and of Bright House Networks (“BHN”) from Advance/Newhouse Partnership to Charter (“Applicants”) will involve an examination of the transactions’ impact on pricing for regional sports networks (“RSNs”) owned by the Applicants. ACA explained that although the market boundaries of local broadcast stations and nationally-distributed cable programming are easily defined and publicly available, the precise market boundaries of RSNs are generally known only to their owners. To facilitate review of the impact the transactions will have on competition in the MPVD market and on consumers, ACA asked that data concerning the market footprint of each RSN owned, operated by, managed by, or attributable to each Applicant today be requested by the Commission of each Applicant.

Specifically, ACA recommended that the Commission request that Applicants provide the following data and information:

- Identify as of the date of response, each regionally distributed sports programming network owned, operated by, managed by, or attributable to each Applicant. For each RSN identified, provide the names of all MVPDs carrying the network and all census blocks in which the network is offered to consumers by each of these MVPDs.
- For each RSN identified, disclose all sports teams that are members of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, NASCAR, NCAA Division I Football and NCAA Division I Basketball for which the RSN has exclusive distribution rights for live or same-day distribution of the

¹ *Applications of Charter Communications, Inc., Time Warner Cable Inc., and Advance/Newhouse Partnership for Consent to the Transfer of Control of Licenses and Authorizations*, Public Notice, MB Docket No. 15-149 (rel. Jun. 23, 2015).

teams' sports events. For each sports team identified, provide the coverage area of the network's distribution rights on a census block by census block basis.

- For this purpose, "Regional Sports Network" ("RSN") shall mean any non-broadcast video programming service that (i) provides live or same-day distribution within a limited geographic region of sporting events of a sports team that is a member of Major League Baseball, the National Basketball Association, the National Football League, the National Hockey League, NASCAR, NCAA Division I Football, NCAA Division I Basketball and (ii) in any year, carries a minimum of either 100 hours of programming that meets the criteria set forth in (i) above, or 10% of the regular season games of at least one sports team that meets the criteria set forth in (i) above.

This letter is being filed electronically pursuant to section 1.1206 of the Commission's rules.

Sincerely,



Barbara Esbin

cc: Jennifer Tatel

Your submission has been accepted

ECFS Filing Receipt - Confirmation number: 2015713390380

Proceeding

Name	Subject
15-149	Commission Opens Docket for Proposed Transfer of Control of Time Warner Cable, Inc. and Charter Communications Inc. and Proposed Transfer of Control of Bright House Networks from Advance/Newhouse Partnership to Charter Communications Inc.

Contact Info

Name of Filer: American Cable Association
Email Address: besbin@cinnamonmueller.com
Attorney/Author Name: Barbara S. Esbin
Lawfirm Name (required if represented by counsel): Cinnamon Mueller

Address

Address For: Law Firm
Address Line 1: 1875 Eye Street, NW
Address Line 2: Suite 700
City: Washington
State: DISTRICT OF COLUMBIA
Zip: 20006

Details

Type of Filing: SUBMISSION FOR THE RECORD

Document(s)

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Attorney/Author Name: ?

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