



July 23, 2015

Ex Parte

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

Re: Promoting Innovation and Competition in the Provision of Multichannel Video Programming Distribution Services; MB Docket No. 14-261

Dear Ms. Dortch:

On July 21, 2015, Caroline Curtin, Policy Counsel, Microsoft; Christine Enemark, Associate General Counsel and Sarah Hudgins, Manager of Public Policy, both of Amazon.com; Rob Carter of Harris, Wiltshire & Grannis representing Apple Inc.; and I met with Bill Lake, Michelle Carey, Nancy Murphy, Steve Broeckert, Brendan Murray, Kathy Berthot, Tom Hastings, Ryan Brunner, Julie Shursky, Brittani Zacco, Raphael Sznajder, Daniel Shiman and Jaclyn Haughom of the Media Bureau; Alison Neplokh of the Office of Strategic Planning and Policy Analysis; Susan Aaron of the Office of General Counsel; and Lyle Elder of the Enforcement Bureau to discuss matters at issue in the above-referenced proceeding.

During the meeting, we summarized the arguments set forth in DiMA's comments. In particular, we highlighted the tremendous innovation - resulting in vibrant competitive alternatives for consumers - that has recently occurred in the marketplace for online video content. We noted that several of the nation's leading online video distributors ("OVDs") currently make available millions of movies and television shows to be streamed or downloaded instantly by consumers; and that much of that programming is of exceptional quality. In light of such developments, we questioned the case for government regulation at the present time.

We also reiterated our prior recommendation that the Commission - should it decide to proceed - adopt a flexible approach allowing those OVDs that the Commission believes would benefit from MVPD status with the ability to decide whether to receive such benefits and be subject to the attendant responsibilities associated with such a decision.

Finally, we noted that subjecting newly covered OVDs to regulations adopted for traditional, facilities-based MVPDs could adversely affect the continued growth of the marketplace for online video content. As such, we urged the Commission to refrain from imposing the numerous existing MVPD-tailored obligations on OVDs, as they continue to experiment to meet the demands of a quickly-evolving market.

Respectfully submitted,

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