



**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 30, 2015

Via ECFS

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

Re: American Cable Association Notice of Ex Parte Communication; Revision of the Commission's Program Access Rules, MB Docket No. 12-68

Dear Ms. Dortch:

On July 28, 2015, Ross J. Lieberman, Senior Vice President of Government Affairs, American Cable Association ("ACA"), Jeff Nourse, Senior Vice President, Legal & Regulatory Affairs of the National Cable Television Cooperative, Inc. ("NCTC"), and the undersigned met via teleconference with the following officials from the Media Bureau: William Lake, Chief; Michelle Carey, Deputy Chief; Nancy Murphy, Deputy Chief, Mary Beth Murphy, Chief, Policy Division; Steve Broeckert, Senior Deputy Division Chief, Policy Division, Kathy Berthot, Policy Division, and Susan Aaron, Office of the General Counsel for additional discussions about the status of the Commission's rulemaking on modification of the program access rules to ensure that buying groups have the protection that Congress intended, consistent with ACA's previous filings in this rulemaking.¹

During the meeting, ACA again encouraged the Commission to expeditiously: (i) update its definition of a buying group so that NCTC, a buying group that has met near universal acceptance among small and medium-sized cable operators and programmers, could qualify; (ii) clarify the standard of comparability for a buying group; and (iii) prevent cable-affiliated programmers from arbitrarily excluding members of buying groups from participating in their master agreements.

If you have any questions, or require further information, please do not hesitate to contact me directly.

¹ See *Revision of the Commission's Program Access Rules, etc.*, Report and Order in MB Docket Nos. 12-68, 07-18, 05-192, Further Notice of Proposed Rulemaking in MB Docket No. 12-68, Order on Reconsideration in MB Docket No. 07-29, 27 FCC Rcd 12605 (2012) ("FNPRM"); Comments of the American Cable Association (filed Dec. 14, 2012); Reply Comments of the American Cable Association (filed Jan. 14, 2013).

Pursuant to section 1.1206 of the Commission's rules, this letter is being filed electronically with the Commission.

Sincerely,



Barbara Esbin
Counsel to the American Cable Association

cc: William Lake
Michelle Carey
Nancy Murphy
Mary Beth Murphy
Steve Broeckaert
Kathy Berthot
Susan Aaron