

August 11, 2015

**VIA ELECTRONIC COMMENT FILING SYSTEM**

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

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

Dear Ms. Dortch:

On August 10, 2015, on behalf of Discovery Communications, Inc. (“Discovery”), Catherine Carroll, Vice President – Public Policy and Corporate/Government Affairs, together with Tara Corvo of Mintz Levin, met with Nancy Murphy, Steven Broeckaert, Brendan Murray, Susan Singer, Raphael Sznajder, Kathy Berthot, Lyle Elder and Mary Beth Murphy of the Media Bureau, and Alison Neplokh and Jonathan Levy of the Office of Strategic Planning, to discuss the above-captioned matter.

Discovery explained that should the Commission amend the definition of multichannel video programming distributor (“MVPD”) to include certain online video distributors (“OVDs”), such a redefinition would constitute a substantive change in law that cannot be applied retroactively to actions taken before the effective date of the change. Contrary to arguments raised in this proceeding, the proposal would not merely clarify existing law because OVDs have not always been recognized to be MVPDs; further, the new definition would constitute a change in law, not an interpretation of existing law, since it would alter the existing rights and obligations of numerous regulated entities.

Pursuant to section 1.1206(b) of the Commission’s rules, a copy of this letter is being filed electronically with the Office of the Secretary and served electronically on the Commission participants in the meeting.

Respectfully Submitted,

/s/

Tara M. Corvo

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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cc: Nancy Murphy  
Steven Broeckaert  
Brendan Murray  
Susan Singer  
Raphael Sznajder  
Kathy Berthot  
Lyle Elder  
Mary Beth Murphy  
Alison Neplokh  
Jonathan Levy