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May 23, 2016

VIA ELECTRONIC FILING

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

**Re: Notice of *Ex Parte* Presentation**  
***In the Matter of Expanding Consumers' Video Navigation Choices, MB Docket No. 16-42; Commercial Availability of Navigation Devices, CS Docket No. 97-80***

Dear Ms. Dortch:

On May 19, 2016, Debra Lee, Chairman and CEO, BET Networks (“BET”), DeDe Lea, Executive Vice President, Global Government Affairs, Viacom Inc. (“Viacom”), and the undersigned, also of Viacom, met with Commissioner Jessica Rosenworcel and her Legal Advisor, Marc Paul, in connection with the proceeding referenced above. BET is a division of Viacom.

The purpose of this meeting was to discuss the potentially negative impact of the Commission’s proposal on the quality of the consumer viewing experience and investment in programming, particularly independent programming that targets underserved minority and niche audiences. Minority-targeted programmers like BET would suffer disproportionately under the proposal if they are moved away from their negotiated channel lineups and neighborhoods down to the bottom of a search algorithm.

As detailed in comments filed jointly by Viacom and other major media companies in this proceeding, Viacom and BET have no stake in set-top box revenues, and support the goal of improving the overall quality of the viewing experience. Ms. Lee underscored BET’s concern that the proposed rules would undermine the license agreements that maintain a positive viewing

experience and preserve incentives to invest and innovate in the production and distribution of high-quality programming. Ms. Lee emphasized that this result was especially detrimental to consumers and the minority-targeted programming ecosystem, while conflicting with the Commission's duty to safeguard the security of video programming and prevent its theft under section 629 of the Communications Act.

Viacom and BET explained that licensing agreements provide the primary and most efficient mechanism (with respect to *all* distributors) for protecting the value, integrity and security of programming, covering a wide range of terms, including, *inter alia*: scope of license (including limitations imposed on programming licensed from other companies); content protection; advertising; channel placement; and signal quality. Viacom and BET emphasized that the proposed rules would diminish or eliminate the effectiveness of this mechanism and provide no other means to administer critical content presentation terms. Viacom also emphasized its concern with respect to the lack of a sufficient enforcement mechanism against third-party set top box manufacturers or app developers.

Viacom urged Commissioner Rosenworcel to address the concerns raised as the proceeding moves forward.

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS. Please contact me if you have any questions regarding this notice.

Respectfully submitted,

/s/

Keith R. Murphy

cc: Marc Paul, Office of Commissioner Rosenworcel