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National Cable Television Association

Daniel L. Brenner
Vice President for Law &
Regulatory Policy

1724 Massachusetts Avenue, Northwest
Washington, D.C. 20036-1969
202 775-3664 Fax: 202 775-3603

July 21, 1999

Ms. Magalie Roman Salas
Office of the Secretary
445 12th Street, SW
TW-A325
Washington, DC 20554

RE: Ex Parte File
CS Docket No. 98-120

Dear Ms. Salas:

On July 20, 1999, Daniel Brenner, Loretta Polk, and Diane Burstein of the National Cable Television Association met with Deborah Lathen, Chief of the Cable Services Bureau, as well as William Johnson, Deborah Klein, and Ben Golant of the Bureau.

In addition to the issues discussed in our written comments, NCTA urged the Bureau not to bifurcate the must carry proceeding. Under bifurcation, the FCC would decide certain issues separately from the overall question of whether cable operators can be required to carry digital signals during the transition period when broadcasters' analog signals are being carried. NCTA suggested that no case has been made for any urgency in resolving certain issues ahead of others. NCTA instead proposed that the Commission should allow the market to continue to work. NCTA argued that several retransmission consent agreements had already been concluded, demonstrating that broadcasters and cable operators could agree on all specific issues of broadcast carriage with no government involvement.

The association maintained that given the nascent state of digital broadcasting, rushing ahead to resolve certain issues in the abstract would not serve the public interest and would remove needed flexibility to design mutually agreeable carriage arrangements during the transition. Issues regarding signal carriage rules at the end of the transition, after a station has changed from analog to digital transmission, should be addressed at a point closer to the end of the transition to a fully digital broadcasting system.

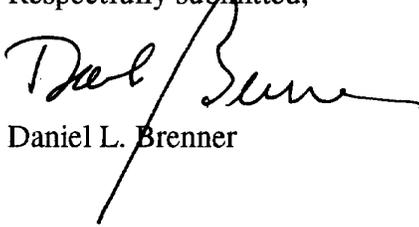
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OFFICE OF THE SECRETARY

With respect to syndicated exclusivity and network non-duplication, NCTA maintained that there was likewise no need for the Commission at this point to separately address how these rules would apply to retransmission of digital signals.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dan Brenner". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Daniel L. Brenner

cc: Deborah Lathen
William Johnson
Deborah Klein
Ben Golant