

February 9, 2000



Magalie Roman-Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Notice of *Ex Parte* presentation in MM Docket No. 98-203
*Ancillary or Supplemental Use of Digital Television Capacity by
Noncommercial Licensees***

Dear Ms. Salas:

Pursuant to Section 1.1206(b)(2) of the Commission's rules, this letter memorializes a meeting held on February 8, 2000. Attending were: Harold Feld, Associate Director, Media Access Project (MAP); Cheryl Leanza, Deputy Director, MAP; and Rick Chessen, Senior Legal Advisor to Commissioner Gloria Tristani.

At the meeting, MAP representatives reiterated the opinions expressed in comments filed in this docket on behalf of MAP and other public interest organizations that the Communications Act prohibits noncommercial licensees from providing any sort of advertiser-supported ancillary or supplementary services over their digital TV capacity. MAP representatives also discussed whether any form of commercial use or resale of a noncommercial licensee's digital spectrum violates the statute and, if not, what safeguards the Commission should require as a matter of policy to protect the character of the noncommercial service.

Sincerely,

Harold Feld
Associate Director

cc: Rick Chessen

Phone: (202) 232 4300 Fax: (202) 466 7656