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June 27, 2001

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JUN 27 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: *Ex Parte* Communication In the Matter of Carriage of Digital Television Broadcast Signals (CS Dockets No. 98-120) and In the Matter of Nondiscrimination in the Distribution of Interactive Television Services Over Cable (CS Docket No. 01-7).

Dear Ms. Salas:

On Tuesday, June 26, 2001, Lawrence R. Sidman and Berl Bernhard of Verner, Liipfert, Bernhard, McPherson & Hand, Chartered; and Preston Padden, Susan Fox and Mitch Rose of The Walt Disney Company ("Disney") met with Commissioner Michael J. Copps and Susanna Zwerling to discuss issues related to the above-referenced proceedings, *i.e.*, cable carriage of digital television ("DTV") broadcast signals and potential regulation of interactive television ("ITV") services.

With respect to DTV, the discussion tracked Disney's comments filed in response to the *Further Notice of Proposed Rulemaking* concerning the appropriate definition of "program-related" material in the digital television context and Disney's Petition For Reconsideration (and Reply to Oppositions thereto) of the *Report and Order* addressing the appropriate definition of "primary video" and the policy implications of not requiring cable carriage of digital television multicast services. With respect to ITV, the discussion tracked comments and reply comments filed by "Non-MVPD Owned Programming Networks" (including Disney) in response to the *Notice of Inquiry* in that proceeding. Disney discussed the state of the ITV marketplace today, emphasizing that regulation was not premature but, on the contrary, was necessary to ensure the development of a robust, competitive ITV services market and to safeguard consumer choice. Disney reiterated its view that establishing clear and enforceable nondiscrimination requirements was the best means to achieve these pro-consumer objectives. Copies of these filings were distributed at the meeting.

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In accordance with Section 1.1206 of the Commission's Rules, 47 C.F.R. § 1.1206, an original and one copy of this letter, including attachments, are being filed with your office. Please direct any questions concerning this matter to the undersigned.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lawrence R. Sidman".

Lawrence R. Sidman

cc: Susanna Zwerling