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May 10, 2002

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYEx Parte NoticeMarlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554**Re: Implementation of the Cable Television Consumer Protection and Competition Act of 1992; Development of Competition and Diversity in Video Programming and Distribution: Section 628(c) of the Communications Act; Sunset of the Exclusive Contract Prohibition, CS Docket No. 01-290**

Dear Ms. Dortch:

On May 9, 2002, James R. Coltharp of Comcast Corporation and I met with W. Kenneth Ferree, Deborah E. Klein, William H. Johnson, Mary Beth Murphy, Steve Broecker, Karen A. Kosar, and Sonia Greenaway to discuss the above-referenced proceeding. We reiterated various points previously presented on the record in Comcast's comments and reply comments. In particular, we emphasized that:

- The 1992 Act's prohibition of exclusive contracts for certain programming represents a significant departure from the general rule that prevails in most media (and throughout much of the rest of the economy). Indeed, exclusivity is common to distribution models for most media, including newspapers and magazines, radio, broadcast television, motion pictures, and new media.
- The 1992 Act's exclusivity provision was explicitly intended to be transitional; Congress hoped that the marketplace would change in ways that would make the prohibition unnecessary. Over the intervening decade, the marketplace has indeed changed dramatically. Among the most significant changes are the success of DBS (0 customers in 1992; 17 million today) and the vast increase in both the number of programming networks and the channel capacity of MVPD platforms.
- Retaining an exclusivity prohibition for cable operators seems especially perverse when no comparable prohibition applies to DirecTV and EchoStar. Those companies exceed the vast majority of cable companies in size and possibly all cable companies in rate of growth.

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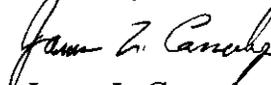
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- Comcast hopes that the order in this proceeding will accurately reflect Comcast's practices in licensing Comcast SportsNet. Although Comcast has been careful to provide accurate information to the Commission about this, certain other parties have repeatedly created confusion and misperceptions regarding Comcast's practices.

Pursuant to section 1.1206(b)(2) of the Commission's rules, an original and one copy of this letter are being filed with the Office of the Secretary. Copies of this letter are also being sent to all of the participants in the meeting. Please let me know if you have any questions.

Sincerely,



James L. Casserly

cc: W. Kenneth Ferree
Deborah E. Klein
William H. Johnson
Mary Beth Murphy
Steven Broeckaert
Karen A. Kosar
Sonia Greenaway