

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.

701 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

James L. Casserly

Direct dial 202 661-8749
jlcasserly@mintz.com

202 434 7300
202 434 7400 fax

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Ex Parte Notice

Marlene 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 June 5, 2002, James R. Coltharp of Comcast Corporation and I had several meetings with Commission staff to discuss the above-captioned proceeding. We met separately with (1) Catherine Bohigian, Legal Advisor to Commissioner Martin, (2) Stacy Robinson, Legal Advisor to Commissioner Abernathy, and Deborah Salons, an intern in Commissioner Abernathy's office, and (3) Susan Eid, Legal Advisor to Chairman Powell, and Erica Platt, an intern in Chairman Powell's office. We reiterated various points previously presented on the record in Comcast's comments, reply comments, and prior ex parte reports, and we distributed copies of the summary document that was attached to the ex parte report I filed earlier this week.

In addition, we urged that, regardless of what the Commission decides with regard to the extension of the exclusivity prohibition, the Commission's order should nonetheless accurately describe the tremendous increase in MVPD services – and the significant reduction in vertical integration between cable operators and programming networks – that has occurred since 1992. We also asked that, to the extent that Comcast SportsNet is discussed at all in the order, the Commission take pains to describe Comcast's practices accurately. Finally, we suggested that any extension of the exclusivity prohibition should be as short as possible, and with as strong a signal as possible that no further extensions are contemplated.

In response to questions, we undertook to provide, for the record of this proceeding, evidence that has already been submitted in a separate proceeding refuting arguments that the lack of access to Comcast SportsNet has had an effect on the ability of DBS providers to compete successfully in the Philadelphia market. Attached are pages 101-105 of the Reply to

Comments and Petitions To Deny Applications For Consent To Transfer Control, filed by AT&T Corp. and Comcast in MB Docket No. 02-70 (May 21, 2002).

Pursuant to section 1.1206(b)(2) of the Commission's rules, a single copy of this letter is being filed through the Commission's electronic comment filing system. Please let me know if you have any questions.

Sincerely,

James L. Casserly

Attachment

WDC 315705v1