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June 28, 2002

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW – Room TW-A325
Washington, D.C. 20554

electronically filed

RE: In the Matter of Review of the Commission's Broadcast and Cable Equal Employment Opportunity Rules and Policies in MM Docket No. 98-204; *En Banc* Hearing Testimony

Dear Ms. Dortch:

Due to late scheduling conflicts, Matthew Polka, President of the American Cable Association ("ACA"), was omitted from the list of witnesses testifying in the June 24, 2002 *en banc* hearing in the above-referenced docket. We include his prepared testimony in this filing.

The testimony focuses on the following key points:

- ACA supports the Commission's efforts to increase diversity in the workplace.
- Congress and the Commission have consistently recognized the difficulty that administrative burdens impose on small cable systems.
- To help ease the administrative burdens on smaller cable businesses, the Commission should raise the threshold for exemption from the outreach requirements to cable companies serving fewer than 15,000 subscribers. In the alternative, this relief should apply to cable employment units with 10 or fewer employees.
- The Commission should streamline EEO recordkeeping and reporting requirements, and create a simpler, one-page Form 395-AS for smaller cable companies. The new form would report the number of subscribers the company has, the number of full-time hires during the reporting period, and the company's outreach efforts during the reporting period. This format would simplify the reporting requirement and thereby improve the quality and consistency of the data gathered by the Commission.

- Section 634 of the Communications Act grants the Commission statutory authority to provide the requested relief to smaller cable companies.

Thank you for the attention to this matter.

Sincerely,

_____/s/_____
Emily A. Denney

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